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Hit Shooting Review

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Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
09-08-2005	Compton Station/C.O.P.S. Bureau	☐	☒

Incident Information

URN: 005-14396-2851-013	Date: 09-08-2005 Time: 2157
City or Station: Compton	Nature of Incident: Deputies received a radio call of a 245N call, with one person shot. Deputies surrounded the location when the suspect exited from his apt. holding on to three small children. The suspect entered the apt with the kids. Moments later, the suspect came out alone and pointed a handgun at the deputies. deputies fired at the suspect, who entered the apt. The three kids exited the apt and were taken to safety. The suspect came out a third time and again pointed the handgun at the deputies. The deputies fired again and the suspect went inside where he apparently committed sucide. SEB made entry and found the suspect deceased.
Location: [redacted] E. Rosecrans Blvd, Apt. [redacted]	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, **(Residence)**, Rural, School, Street, Other: ______

Lighting (*circle only one*): **(Darkness)**, Daylight, **(Other)**, Street Lights

Weather (*circle only one*): **(Clear)**, Cloudy, Fog, Rain

Distance: 50-75 feet

Total # of Shots Fired by Deputy: 21

Total # of Shots Fired by Suspect: 1

Incident Type (*circle one or more*): Accidental, **(Armed Person)**, Fleeing Suspect, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: ______

Initiated by (*circle only one*): Arrest Warrant, **(Call)**, Observation, One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, **(Routine Patrol)**

Aero Unit? ☒ Canine Unit? ☒

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Dean	Robert		**(EM)** PM Day	**(Regular)** Overtime Off Duty
[redacted]	Sumner	Joseph		**(EM)** PM Day	**(Regular)** Overtime Off Duty
[redacted]	Iberri	Joseph		**(EM)** PM Day	**(Regular)** Overtime Off Duty

Non-Employee Witnesses

Last Name [redacted]	First Name [redacted]	M.I.	
Street [redacted]	City [redacted]	Zip [redacted]	Work Ph [redacted]
Last Name [redacted]	First Name [redacted]	M.I.	
Street [redacted]	City [redacted]	Zip [redacted]	Work Ph [redacted]
Last Name Smith	First Name Imani	M.I.	
Street [redacted]	City [redacted]	Zip [redacted]	Work Ph [redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*)
[redacted]	Woods	Bryon		**(On Duty)**, Present during shooting, **(Witness to shooting)**, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Alerich	Michael	J.

PSTD Use Only

SH # 2154541

Officer Involved Shooting

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
09-10-2005	0045	03-12-07	

Employee #	Last Name	First Name	M.I
[redacted]	Landreth	Larry	L.
[redacted]	Stunson	David	
[redacted]	Jennings	Rickey	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
E#1	S#1	FS	IT	12	Y	Y	NN	NN
E#2	S#1	FH	SW	45	Y	Y	NN	NN
E#3	S#1	FH	BR	9	Y	Y	GS	FE
E#4	S#1	FS	IT	12	Y	Y	NN	NN
E#5	S#1	FR	CO	23	Y	Y	NN	NN
E#6	S#1	FH	BR	9	Y	Y	GS	LE
E#7	S#1	FR	CO	23	Y	Y	NN	NN
S#1	S#1	FH	CO	38	N	N	GS	HE

Officer Involved Shooting
Involved Employee Information

URN: 005-14396-2851-013

Involved Employee

E 1

Employee # [redacted]	Last Name: Casas	First Name: Paul	M.I.
Sex: M Race: H	Rank: DSG	Unit Assignment: CPT	Work Assignment (Unit #, Module, etc.): 284
ShiftTime (circle only one): EM (PM) Day	ShiftType (circle only one): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (circle only one): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: 5-09 Weight: 155			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E 2

Employee # [redacted]	Last Name: Phillipi	First Name: Jason	M.I.
Sex: M Race: W	Rank: DSG	Unit Assignment: CPT	Work Assignment (Unit #, Module, etc.): 283
ShiftTime (circle only one): EM (PM) Day	ShiftType (circle only one): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (circle only one): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: 5-11 Weight: 165			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E 3

Employee # [redacted]	Last Name: Shackelford	First Name: Matthew	M.I.
Sex: M Race: W	Rank: DSG	Unit Assignment: CPT	Work Assignment (Unit #, Module, etc.): 281B
ShiftTime (circle only one): EM (PM) Day	ShiftType (circle only one): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (circle only one): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: 5-11 Weight: 170			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

See Other Side




Officer Involved Shooting
Involved Employee Information

URN: 005-14396-2851-013

Involved Employee

E 4

Employee # [redacted]	Last Name: Sandoval	First Name: Jose	M.I.:
Sex: M Race: H	Rank: DSG	Unit Assignment: CPT	Work Assignment (Unit #, Module, etc.): 282A
ShiftTime (*circle only one*): EM (PM) Day	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: 5-09 Weight: 155			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E 5

Employee # [redacted]	Last Name: Maya	First Name: Mauricio	M.I.:
Sex: M Race: H	Rank: DSG	Unit Assignment: CPT	Work Assignment (Unit #, Module, etc.): 281T3
ShiftTime (*circle only one*): EM (PM) Day	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: 5-11 Weight: 175			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E 6

Employee # [redacted]	Last Name: Morien	First Name: Joseph	M.I.:
Sex: M Race: W	Rank: DSG	Unit Assignment: C.O.P.S.	Work Assignment (Unit #, Module, etc.): 280N5
ShiftTime (*circle only one*): EM (PM) Day	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors: Laser Sights
Age: [redacted] Height: 5-10 Weight: 175			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☒ Number of Prior Shootings: 1
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

See Other Side

Officer Involved Shooting
Involved Employee Information



URN: 005-14396-2851-013

Involved Employee

E 7

Employee # [redacted] | Last Name: Felmer | First Name: Robert | M.I.

Sex: M | Race: W | Rank: DSG | Unit Assignment: CWC.O.P.S. | Work Assignment (Unit #, Module, etc.): 280N-2

ShiftTime (*circle only one*): EM (PM circled) Day | ShiftType (*circle only one*): (Regular circled) Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☒

Hrs of sleep prior to shooting: 8 | Duty Time (hrs): [redacted] | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest circled) | Other Factors: AR-15 trained deputy

Age: 39 | Height: 6-0 | Weight: 180

Range Qualification Date: [redacted] | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [redacted] | Number of Prior Shootings: [redacted]

Field Training Officer Emp # [redacted] Last Name [redacted] | First Name [redacted] | M.I.

Field Training Officer Emp # [redacted] Last Name [redacted] | First Name [redacted] | M.I.

E__

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): EM PM Day | ShiftType (*circle only one*): Regular Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest | Other Factors:

Age: | Height: | Weight:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings:

Field Training Officer Emp # | Last Name | First Name | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

E__

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): EM PM Day | ShiftType (*circle only one*): Regular Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest | Other Factors:

Age: | Height: | Weight:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings:

Field Training Officer Emp # | Last Name | First Name | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

Officer Involved Shooting Suspect Information

URN: 005-14396-2851-013

Suspect Information

S 1

Last Name: Smith	First Name: Eric	M.I.: A
AKA Last Name: Smith	First Name: Ricky	M.I.
Sex: M Race: B	Street A[redacted] City [redacted]	[redacted] Zi[redacted]
Work [redacted]	Ho[redacted]	Social Securi[redacted] · Driver's Lice[redacted]
Age: 34 D.O.B. 06-27-1971	Height: 5-10 Weight: 220	FBI # [redacted] · CII # [redacted]
Booking #: Not	Primary Charge: Booked	Secondary Charge: Deceased
Coroner Case? ☒	Coroner Case #: 2005-06905	Intoxication/Drug Usage? ☒ · Substance Used: PCP
Armed? ☒	Apprehended? ☒	Mental Illness? ☐ · Criminal History? [redacted]
Vehicle Make: N/A	Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #: · Driver's License #:
Age: D.O.B.	Height: Weight:	FBI # · CII #
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐ · Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐ · Criminal History? ☐
Vehicle Make	Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #: · Driver's License #:
Age: D.O.B.	Height: Weight:	FBI # · CII #
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐ · Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐ · Criminal History? ☐
Vehicle Make	Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #: · Driver's License #:
Age: D.O.B.	Height: Weight:	FBI # · CII #
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐ · Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐ · Criminal History? ☐
Vehicle Make	Model:	Year:

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name [redacted] First Name [redacted] M.I.
Street Address [redacted] Zip Code [redacted] Work Ph Home Ph [redacted]

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

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Street Address Zip Code Work Ph Home Ph

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Sinclair	Sheila		Aero Bureau		562-421-2701	

COUNTY OF LOS ANGELES
SHERIFF"S DEPARTMENT

HIT SHOOTING - SUSPECT DECEASED
EVALUATION

UNIT:	Compton Station Patrol / Community Orientated Policing Bureau
DATE:	September 8, 2005 (Thursday)
TIME:	2157 hours
LOCATION:	[redacted] East Rosecrans Avenue, Apt. [redacted] Compton, CA
URN#:	005-14396-2851-013
IAB#:	SH 2154541

NATURE OF
INCIDENT: On September 8, 2005, at about 2157 hours, units from Compton Station received a radio call to respond to [redacted] E. Rosecrans Avenue, in the city of Compton regarding an assault with a deadly weapon "now" call. While en route to the location, the deputies were advised that a male Black armed with a .38 caliber revolver had shot the weapon and additional shots were heard over the telephone by Compton Desk personnel. Deputies Paul Casas and [redacted] Unit 284/PM, Jason Phillippi, Unit 283/PM, Matthew Shackelford, Unit 281B/PM, Robert Dean and Joseph Iberri, Unit 287/PM, Jose Sandoval, Unit 282A/PM, Mauricio Maya, Unit 281T3/PM,, from Compton Station, responded to the location. Deputies Robert Felmer and Joseph Morien, from the C.O.P.S. Bureau also responded to the location after hearing the "254N"radio call.

Upon arrival, the deputies discovered Suspect Eric Smith, MB/34, had shot his [redacted] fired additional rounds in public, and barricaded himself inside of apartment [redacted] with three [redacted] The deputies assembled, a short distance away from the scene, requested a supervisor, additional resources (SEB), and formulated a tactical plan. While deputies set up on the location they heard additional shots coming from inside of the suspects' apartment. The suspect briefly exited the apartment holding one of the children, and then quickly retreated back inside. The deputies repeatedly yelled to the suspect to release the children and surrender. Moments later, the suspect exited the apartment holding a handgun in his right hand. Several deputies ordered the suspect to drop the weapon and surrender. Suspect Smith pointed the handgun in the direction of deputies assembled on the east side of the location. Deputies Phillippi, Sandoval, Shackelford, Sumner, Felmer and Morien fired at the suspect. The suspect retreated back inside of the apartment. Shortly after, all three children ran from the apartment toward the deputies and were removed to safety.

Completed by:	Sergeant Larry Landreth, Internal Affairs Bureau
Date:	March 10, 2007

Suspect Smith appeared in the doorway of the apartment, opened the metal security screen door, and crawled out of the apartment onto the balcony on to the landing. Suspect Smith, was still holding onto the handgun in his right hand. Deputies again yelled at the suspect to drop the weapon and surrender. For a second time, the suspect pointed the handgun down at the deputies and Deputies Sandoval, Shackelford and Phillippi fired at the suspect. Deputy Maya fired one round from an AR-15 at the suspect The suspect quickly backed up and crawled inside of the apartment. Several minutes later, deputies heard a gunshot coming from inside of the apartment.

Deputies from the Special Enforcement Bureau arrived, formulated a plan, obtained a Mincey (search) Warrant, and tactically entered the apartment to capture the suspect. Once inside, S.E.B. deputies discovered Suspect Smith deceased with an apparent self-inflicted gunshot wound to the head. A revolver containing three expended rounds was discovered at the suspect's feet. It was later determined that the suspect sustained a gunshot wound to the left foot, apparently from deputy personnel.

Internal Affairs Bureau was notified at 2230 hours, and Sergeants Larry Landreth, David Stunson, Gregory Key and Elijer Morejon, along with Lieutenant Rickey Jennings responded to the command post, in the city of Compton, regarding a deputy involved hit shooting. When the investigators arrived, Homicide Bureau personnel were at the scene investigating the incident.

On August 9, 2006, Deputy District Attorney Renee Korn issued a Letter of Opinion regarding the deputy involved shooting incident. In her review of the shooting, D.D.A. Korn deemed Deputies Paul Casas, Robert Felmer, Mauricio Maya, Joseph Morien, Jason Phillippi, Jose Sandoval, and Matthew Shackelford acted lawfully in self-defense and in the defense of others.

The following summary is based on verbal and written statements from the involved deputies, civilian and employee witness statements.

INVOLVED PERSONNEL:

CASAS, PAUL, Deputy Sheriff, [redacted]
Compton Station
Patrol Operations, Region II

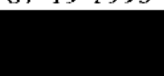
EMPLOYEE WORK HISTORY:

Date of Employment: 01-21-2001
Date assigned to Patrol/Custody: [redacted]
Completed Patrol/Custody Training:
Prior Shooting Incident(s):
Prior Founded Force Incidents:



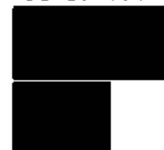
PHILLIPPI, JASON, Deputy Sheriff,  [redacted]
Compton Station
Patrol Operations, Region II

EMPLOYEE WORK HISTORY:

Date of Employment: 07-19-1995
Date assigned to Patrol/Custody:  [redacted]
Completed Patrol/Custody Training:
Prior Shooting Incidents: (1), 01-05-2004, CPT, SH2108825, Armed person. W/R for tactics/Performance to Standards
Prior Founded Force Incidents: [redacted]

SHACKELFORD, MATTHEW D., Deputy Sheriff, [redacted]
Compton Station
Patrol Operations, Region II

EMPLOYEE WORK HISTORY:

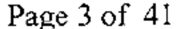
Date of Employment: 08-19-1998
Date assigned to Patrol/Custody:  [redacted]
Completed Patrol/Custody Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:

SANDOVAL, JOSE, Deputy Sheriff, [redacted]
Compton Station
Patrol Operations, Region II

EMPLOYEE WORK HISTORY:

Date of Employment: 10-14-1999
Date assigned to Patrol/Custody:  [redacted]
Completed Patrol/Custody Training:
Prior Shooting Incident(s):
Prior Founded Force Incidents:

MAYA, MAURICIO, Deputy Sheriff, [redacted]
Compton Station
Patrol Operations, Region II



EMPLOYEE WORK HISTORY:

Date of Employment: 07-02-1999
Date assigned to Patrol/Custody: [redacted]
Completed Patrol/Custody Training:

Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents:

MORIEN, JOSEPH P., Deputy Sheriff, [redacted]

Community Orientated Policing Team
Office of Homeland Security Division

EMPLOYEE WORK HISTORY:

Date of Employment: 09-26-1991
Date assigned to Patrol/Custody: [redacted]
Completed Patrol/Custody Training:
Prior Shooting Incident(s): (1) 03-27-98, LNX, SH1203201, Armed person, fleeing suspect, vehicle pursuit.

Prior Founded Force Incidents: [redacted]


FELMER, ROBERT M., Deputy Sheriff, [redacted]
Community Orientated Policing Team
Office of Homeland Security Division

EMPLOYEE WORK HISTORY:

Date of Employment: 04-12-1989
Date assigned to Patrol/Custody: [redacted]
Completed Patrol/Custody Training:
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents:

SUSPECT(S):

SMITH, Eric, MB/34 yrs. DOB: 06-27-1971, 5'-10", 220 lbs., black/brown [redacted]

C.I.I. # [redacted] **Main #** [redacted] **FBI #** [redacted]

Suspect Smith's [redacted] (refer to exhibit A, pages 230 -244). He was an admitted 190th Street East Coast Crip gang member.

CIVILIAN WITNESSES:



1. [redacted] FB/[redacted]
2. [redacted] FB/[redacted]
3. [redacted] FB/[redacted]
4. [redacted] MB/[redacted]
5. [redacted] FB/[redacted]
6. [redacted] MB/[redacted]
7. [redacted] MH/[redacted]
8. [redacted] MB/[redacted]

DEPARTMENT WITNESSES:

1. Woods, Bryon, Sergeant, #[redacted]
2. Dean, Robert Joseph, Deputy Sheriff, #[redacted]
3. Sinclair, Sheila, Deputy Sheriff, [redacted]
4. Kocisko, Mark, Deputy Sheriff, #[redacted]
5. Iberri, Joseph, Deputy Sheriff, #[redacted]
6. Sumner, Joseph, Deputy Sheriff, #[redacted]
7. Choi, Vincent, Deputy Sheriff, #[redacted]

INJURIES:

Suspect
Suspect Smith sustained a fatal self-inflicted gunshot wound to the head. He also sustained a gunshot wound to the left foot.

WEATHER AND LIGHTING CONDITIONS:
Dark, clear, with little or no clouds.

WEAPONS USED BY SUSPECT(S):

SUSPECT Eric Smith was armed with a "Colt", .38 caliber revolver, serial #[redacted] "Special" Model loaded with three expended .38 caliber casings.

WEAPON(S) USED BY DEPUTY PERSONNEL:

DEPUTY PAUL CASAS
Service Shotgun - Ithaca 12-gauge shotgun, Model 37, (Serial Number [redacted]
Type Of Ammunition- Winchester Brand 12-gauge rounds.
Ammunition- One round fired.
Shells - One expended 12-gauge shot shell was recovered where Deputy casas stood.
Date Employee Last Qualified: (PDC Range): [redacted]
Date Last Trained With Weapon:

Lab Receipt No. J670139 Los Angeles County Sheriff's Department- Scientific Services Bureau, Firearms Identification Section (Refer to Exhibit A, page 197)

DEPUTY JASON PHILLIPPI
Service Weapon- Smith & Wesson, Model 4506 (Serial Number [redacted] Double Action Semi automatic Pistol, 45 caliber.
Type Of Ammunition- Winchester Brand Plus P .45 caliber cartridges.
Ammunition- Six rounds fired and 2 left in the magazine and 1 in thechamber.
Shell Casings- Six expended .45 caliber rounds were recovered at the scene.
Date Employee Last Qualified: (Mobile Range) [redacted]
Date Last Trained With Weapon:

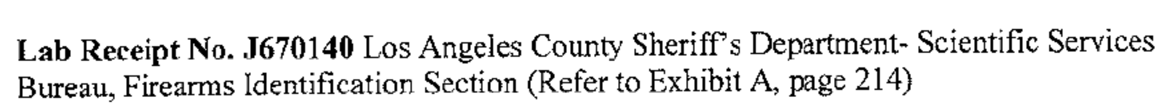
Lab Receipt No. J670139 Los Angeles County Sheriff's Department- Scientific Services Bureau, Firearms Identification Section (Refer to Exhibit A, page 197)

DEPUTY MATTHEW SHACKELFORD
Service Weapon- Berretta, 92F (Serial Number BER[redacted] Double Action Semi automatic Pistol, 9mm Luger
Type Of Ammunition- Winchester Brand Ranger "T", 9 mm Luger cartridges.
Ammunition- Six rounds fired between two magazines;5 rounds from one magazine and one round from a second magazine.
Shell Casings- Six expended Winchester Brand casings were recovered near where Deputy Shackelford stood.
Date Employee Last Qualified: (Mobile Range) [redacted]
Date Last Trained With Weapon:

Lab Receipt No. J670139 Los Angeles County Sheriff's Department- Scientific Services Bureau, Firearms Identification Section (Refer to Exhibit A, page 197)

DEPUTY JOSE SANDOVAL

Service Weapon- Ithaca, Model 37, 12-gauge Shotgun, (Serial #[redacted]
Type Of Ammunition-Winchester Brand 12-gauge rounds.
Ammunition- One round fired.
Shell Casings- One expended12-gauge shot shell was recovered where Deputy Sandoval reported standing.
Date Employee Last Qualified: (Mobile Range) [redacted]
Date Last Trained With Weapon:


Lab Receipt No. J670140 Los Angeles County Sheriff's Department- Scientific Services Bureau, Firearms Identification Section (Refer to Exhibit A, page 214)

DEPUTY MAURICIO MAYA
Service Weapon- Colt, Model AR-15 SP1, (Serial Number SP[redacted]), .223 caliber rifle
Type Of Ammunition- Remington .223 (NATO 5.56mm) cartridges.
Ammunition- two rounds fired and thirteen left in the magazine and one in the weapon's chamber.
Shell Casings- A total of two expended .223 shell casings were located at the scene.
Date Employee Last Qualified: (PDC Range) [redacted]
Date Last Trained With Weapon:

Lab Receipt No. J670139 Los Angeles County Sheriff's Department- Scientific Services Bureau, Firearms Identification Section (Refer to Exhibit A, page 214)

DEPUTY JOSEPH MORIEN
Service Weapon- Berretta, 92F (Serial Number BER[redacted] Double Action Semi automatic Pistol, 9mm Luger
Type Of Ammunition- Winchester Brand Ranger "T", 9 mm Luger cartridges.
Ammunition- Two rounds fired; thirteen left in the magazine and one in the weapon's chamber.
Shell Casings- Two expended shell casings were recovered on northeast corner of 4719 Rosecrans Avenue.
Date Employee Last Qualified: (Mobile Range) [redacted]
Date Last Trained With Weapon:

Lab Receipt No. J670139 Los Angeles County Sheriff's Department- Scientific Services Bureau, Firearms Identification Section (Refer to Exhibit A, page 197)

DEPUTY ROBERT FELMER
Service Weapon- Colt, Model Match Target HBAR, (Serial Number [redacted] Double Action Semi automatic rifle, .223 caliber.
Type Of Ammunition- Remington .223 caliber (NATO 5.56mm) cartridges.
Ammunition- One .223 round fired.
Shell Casings- One expended .223 Remington expended cartridge was recovered from eastside of [redacted] Rosecrans Avenue.

Date Employee Last Qualified: (PDC Range)
Date Last Trained With Weapon:  [redacted]

Lab Receipt No. J670139 Los Angeles County Sheriff's Department- Scientific Services Bureau, Firearms Identification Section (Refer to Exhibit A, page 197)

INVOLVED DEPUTY(S) STATEMENTS:

CASAS, Paul, Deputy Sheriff, [redacted]

Deputy Casas was interviewed by Homicide Investigators Weireter and [redacted] on 09-09-2005, at 0500 hours. The interview took place at Compton Station, and he was represented by Mr. Greg Emerson, LASPA. Deputy Casas was interviewed again on November 21, 2006, by IAB investigators Larry Landreth and Frank Quichocho. Casas was again represented by Mr. Greg Emerson. The interview took place at Internal Affairs Bureau .Both interviews were tape recorded and the following is a summary of the interviews.

Deputy Casas said on 09-08-2005 he was working with Deputy [redacted] on [redacted] as Unit 284/PM when they received a radio call to respond to [redacted] Rosecrans Boulevard, regarding a shots fired, active shooter call. Casas said he was in the Compton Station parking lot about to log off when the call came out. Deputy [redacted] told Casas to tell S.C.C. they would assume the responsibility as the handling unit. Casas said they responded, "Code Three" and arrived in approximately three minutes. Casas said Deputy [redacted] was asking the desk for constant up dates while en route to the location.

Deputy Casas said Deputy [redacted] requested all responding units to met him on Frailey, west of the Rosecrans Boulevard location. Once all the units arrived, Deputy [redacted] began to assign specific tasks to each deputy. [redacted] designated an arrest/contact team, designated shooters (Maya AR-15) and perimeter deputies. Deputy Casas said he did not remember if he saw Sergeant Woods at the briefing, but Deputy [redacted] requested a shield and one was produced from the sergeant's vehicle. Casas said Deputy [redacted] set up a command post location during the initial planning stage. Deputy Casas said he had attended the "Rapid Deployment Active Shooter" training and was aware of the need to make contact and end the threat as quickly as possible to prevent further victims. When they arrived at the location, Aero Bureau was over head as they parked on the west side of the residence with several other deputies. He said there were also several other deputies located east of the location. He stated the radio call had an update that the station dispatcher had heard additional shots fired at the location.

Deputy Casas said he and other deputies approached the location on foot from west to east and he positioned himself behind a parked vehicle on the north side of Rosecrans Avenue, just west of the location, which was a two story apartment building. He said, that from where he was positioned he could clearly see the westernmost apartment on the second story. He stated he could see a male Black (Suspect Smith) standing in the doorway. He was heavyset and was wearing a brown T-shirt,

matching the description of the suspect given in the radio call.

Deputy Casas said he yelled to an unknown deputy that he could see the suspect and pointed him out to the deputy. Deputy Casas said he was trying to stay with Deputy [redacted] but ***<u>when he saw the suspect he walked back to a radio car (Dean/Sandoval) parked in front of [redacted] Rosecrans and removed the shotgun. Casas said he did not check the shotgun rounds loaded in the weapon, but he remembered placing the rounds on the butt-ammo pouch in to his pocket and believed they were slugs.</u>***

> **IAB Note: an expended Remington .12 gauge "green" shot shell (EV#54) was recovered near where Deputy Casas reported firing. Senior Firearms Examiner Jim Carroll examined the expended round and determined it was consistent with a "1 oz. Rifled Slug. A live Remington 12 gauge "green" shotgun round (EV#2) was also recovered from where Deputy Casas reported firing, indicative of 12 gauge .00 Buck shotgun round was cycled through the shotgun's chamber, refer to exhibit A, pages 41 and Exhibit C, for photographs.**

Deputy Casas said he walked north in the drive way of [redacted] and took up a position behind a block wall as cover and trash cans **(refer to photographs in Exhibit C)**. From his position, he could see up in to the suspect's location. Casas said there was another deputy (unknown) assigned to the C.O.P.S. team with him. He said he was able to observe the suspect walk into the kitchen of his apartment and retrieve a gun from the top of the refrigerator and look around, "frantically." Deputy Casas said he radioed to Deputy [redacted] that he was on the westside of the suspect's location to keep him informed, and that he saw the suspect retrieve the gun from on top of the refrigerator, but he did not get a response from [redacted] Deputy Casas said he spoke with the C.O.P.S. deputy and asked him if [redacted] had been evacuated. The deputy said he would check and left. Casas said he remained on-point by himself and it seemed to him all of the other deputies went to the east side of the suspect's location.

> **IAB Note: Deputy Casas provided a diagram of his location and positioning during the shooting, refer to Exhibit D.**

Deputy Casas said there was light coming from inside of the suspect's apartment and he could clearly see the suspect as he turned and walked rapidly into the living room. Casas said he could see the suspect as he walked past the open front door of his apartment. He indicated a short time later he saw the suspect walk out to the balcony holding the gun in his right hand. Deputy Casas said as the suspect raised the gun in the direction of the other deputies to the east, he believed the suspect was going to shoot at the deputies, and fired one round from an approximate distance of thirty feet, from the shotgun at the suspect. Casas said he did not know if he hit him. He said as the suspect continued to raise the gun, he heard other shots fired and the suspect returned inside the apartment. Deputy Casas said he thought the suspect may have fallen when he went back inside his apartment.

Deputy Casas said as he continued to watch the apartment, he could see the suspect moving back and fourth. Casas said he saw the three children exit the apartment and then heard a second volley of approximately ten gunshots. Deputy Casas said he did not see the suspect when the second volley of gunshots occurred and that was why he did not fire again.

Deputy Casas indicated that a short time later, he heard one additional gunshot, which he believed came from inside the apartment. He stated the last gunshot sounded similar to the first two gunshots he heard. He also said he could not see the suspect moving around any longer.

Deputy Casas stated he held his position until deputies from the Special Enforcement Bureau arrived at his location and relieved him and the other deputies. He said he returned to the station with Deputy [redacted] and maintained control of the shotgun. He said during the incident he never fired his "Beretta" pistol.

Deputy Casas said when he shot at the suspect, he could clearly see the suspect raising his gun in the direction of the deputies located on the east side of the location. He said he was unsure if the other deputy who was standing next to him fired his weapon.

Deputy Casas said after he fired at the suspect he attempted to chamber a live round into the gun but believes that round fell to the cement below him. He said he then removed two more live rounds from the shotgun, then reloaded it with four additional live rounds. Deputy Casas said his back drop was the front of the apartment from an up ward position in to the ceiling.

PHILLIPPI, Jason, Deputy Sheriff, #[redacted]

Deputy Phillippi was interviewed by Homicide Investigators Weireter and [redacted] on 09-09-2005, at 0550 hours. The interview took place at Compton Station and he was represented by Mr. Derald Brenneman, ALADS. Deputy Phillippi was interviewed again on November 21, 2006, by IAB investigators Larry Landreth and Frank Quichocho. Deputy Phillipi was again represented by Mr. Derald Brenneman, ALADS The interview took place at Internal Affairs Bureau. Both interviews were tape recorded and the following is a summary of the interviews.

Deputy Phillippi said around 2150 hours, 09-08-2005, he was working as 283/PM, a one-man car, when he was dispatched to [redacted] Rosecrans Avenue regarding a "245N, shots fired" call. Deputy Phillipi said he responded to across town and when he arrived at the intersection of Frailey and Rosecrans, he saw several units stopped and the deputies standing in a group. He contacted Deputy [redacted] and Sergeant Woods who were in the midst of setting a plan in motion. There was a contact team established, designated shooters, perimeter deputies assigned, and S.E.B. was requested.

He further related that he parked on a cross street just west of the location, on Rosecrans. He stated the radio call was constantly being updated with information, including the fact that the man was armed with a handgun, there were shots fired, and there were children inside the location.

Deputy Phillippi said they all gathered west of the location and formed a contact team with a ballistic shield to approach the location, via the stair way. As they were doing so, they were updated via radio that there was a "woman screaming" inside the location. Deputy Phillippi indicated that included amongst this response/arrest team, in addition to himself, were Deputies Maya (AR-15), and Shackelford, Sumner (shield), Sandoval (shotgun), Dean, Auguilar, Eugia (radio), and Sergeant Woods.

He indicated that they approached the house on foot, and that they were south of the two-story apartment building, and just [redacted] of [redacted] Rosecrans (refer to photographs in Exhibit C). Deputy Phillippi stated they were on the east side of this house as they were walking towards the rear of the property in order to gain a better line of sight of the building. Deputy Phillipi said as they started their approach, he saw assisting deputies start to evacuate the surrounding residences.

IAB Note: Deputy Phillipi provided a diagram of his location and positioning during the shooting, refer to Exhibit D.

While standing at the northeast corner of the house, on the front portion of the parcel of property, Deputy Phillippi was able to observe the two-story apartment building at the rear. He said the suspect's [redacted] made contact with them from Apartment [redacted] and told them she had been shot, her [redacted] were inside with the suspect, and he was under the influence of PCP.

At one point in time, he saw the suspect, ultimately identified as Suspect Smith, come out of the westernmost apartment. At that time, the suspect was holding a child. The suspect briefly appeared (outside) on the balcony, and then walked back inside of the apartment. Phillipi said he yelled to the other deputies he had a child with him and not to shoot.

Moments later the suspect came out of the apartment for a second time , walked toward the balcony, and was holding a handgun in his right hand. The suspect lifted this handgun in a motion pointing it towards the position where the deputies were all gathered on the east side of [redacted] Rosecrans. Deputy Phillipi said although there were designated shooters (Maya) identified, Maya did not shoot. Deputy Phillippi stated that at this time(first shooting), with the suspect pointing the handgun at him, and the knowledge he previously had of the suspect having fired shots just before their arrival, he fired three to five times at the suspect with his .45 caliber Smith and Wesson pistol, from a distance of 25 - 30 feet. Phillipi said he heard Deputy Shackelford also shoot at the suspect. Deputy Phillippi stated that after doing so, the suspect appeared to retreat back inside the location. Deputy Phillipi said his backdrop was the ceiling and upper walls of the apartment. Phillipi said he was not concerned that Deputy Maya did not shoot because he has been in a similar position of manning an AR-15 and was aware of the fatigue factor of keeping the rifle on target for long periods of time.

Deputy Phillippi stated that during the incident, he was communicating with the deputies on the west side of the location, who were actually secreted behind the block wall on the property directly

west of where the suspect was at. He stated that after this initial confrontation and shooting, several children came running out of the apartment. Deputy Phillipi said he covered Deputy Dean, who approached the children at the foot of the stairs and handed them off to Deputy Iberri, [redacted] Deputy Iberri took all three children to a position of safety north of the apartment building in to the alleyway. Deputy Phillipi said after the children were escorted to safety, he discussed with everyone the situation had become a static barricaded suspect and he was aware that S.E.B. were coming. He said they changed their tactics from an active shooter to a barricaded suspect and awaited the arrival of the Special Enforcement Bureau team.

Deputy Phillippi went on to state that after the first volley of shots, he moved back behind the rear and did a tactical reload, dropping the magazine from his .45 caliber pistol and reloading it with a fresh fully-loaded magazine. He stated that after the reload, from behind the other deputies, he saw the suspect crawling on his belly out of the apartment and on to the balcony floor. Deputy Phillippi said the suspect was crawling on the balcony's surface, and looking in a southeasterly direction towards the railing. At this point in time, the suspect started to raise the handgun up over the lower railing and point the handgun at him and the other deputy sheriffs. Deputy Phillippi stated that at this point in time, he heard two gunshots that appeared to come from the deputies who were standing in front of him, within the suspect's line of sight. He stated that after these gunshots, the suspect appeared to crawl back inside of the apartment and close the door.

During this entire incident, Deputy Phillippi stated that he and the other deputies were yelling at the suspect to show his hands, drop the gun, and surrender. Deputy Phillippi stated that after this second confrontation and the series of gunshots, he heard a single muffled gunshot that appeared to have come from inside the apartment. He stated that the location was contained by other deputies and a canine unit from the Special Enforcement Bureau arrived within 10 to 15 minutes after the incident occurred. It was at that point in time that he and the other deputies were relieved of their positions. At that time Deputy Phillippi stated that he helped evacuate the neighbors from the immediate area where the incident occurred.

Deputy Phillippi said he never saw a female Black adult come out of the suspect's apartment. He estimated the time between the first shooting and the second volley of shots was approximately 4 to 7 minutes. He further related that the gun in the suspect's hand was dark colored.

Deputy Phillippi was unaware if the suspect ever fired the gun when he pointed it at him and the other deputies.

SHACKELFORD, Matthew, Deputy Sheriff, [redacted]

Deputy Shackelford was interviewed by Homicide Investigators Weireter and [redacted] on 09-09-2005, at 0700 hours. The interview took place at Compton Station, and he was represented by Mr. Derald Brenneman, ALADS. Deputy Shackelford was interviewed again on January 2, 2007, by IAB investigators Sergeant Larry Landreth and Tim Carr. He was represented by Mr. Derald Brenneman,

ALADS. The interview took place at Internal Affairs Bureau. Both interviews were tape recorded and the following is a summary of the interviews.

Deputy Shackelford stated that the evening of the incident, he was working a one-man car, Unit #281B, PM shift. He said he responded to an assault with a deadly weapon/shots fired call at [redacted] Rosecrans Avenue. He stated he was originally assigned to handle this call, but ultimately it was given to Deputy [redacted] and Casas because they were a [redacted] unit.

Deputy Shackelford said that as he was driving to the location, the deputies were constantly given updates about what was occurring. He stated that amongst these updates was the fact that the Sheriffs dispatcher had actually heard shots being fired during a phone call with an victim/informant who reported being shot.

Deputy Shackelford stated that he and other uniformed patrol deputies responding to the incident met up just west of the location at Rosecrans and Frailey, to form a tactical plan. While doing so, Deputy Shackelford indicated there was other updated radio traffic indicating that there were shots fired and children inside the location. Shackelford said Deputy [redacted] established an action plan and Sergeant Woods approved the plan.

Upon approaching the location, Deputy Shackelford was told by other deputy sheriffs over the radio the suspect was actually outside of the apartment with a child and had a handgun. He stated that he, as well as Deputy Phillippi, were at the front of the group of deputies peeking around the corner of [redacted] Rosecrans Avenue and they were using the house as cover. Deputy Shackelford said when they peeked around the corner, the suspect had gone back inside.

IAB Note: Deputy Shackelford provided a diagram of his location and positioning during the shooting, refer to Exhibit D.

Deputy Shackelford said the occupants of the apartment directly [redacted] of the suspect's apartment, identified as "Apartment [redacted] were attempting to talk to him. He stated that they were yelling through the front door and apartment window and that it was a female Black adult, [redacted] Deputy Shackelford said that because the helicopter was very low, it was making a great deal of noise and he was unable to verbally communicate clearly with the occupants of this apartment. Shackelford said he yelled to the occupants to move to the rear of the apartment in the event something happened.

Deputy Shackelford said while he was in his position of cover, the suspect opened the front door and actually walked outside, holding a handgun. The suspect was given commands by himself and other deputies to drop the gun. Upon doing so, the suspect raised the gun from his side and pointed it towards Deputy Shackelford, as well as the other deputy sheriffs. In response to this, Shackelford said he fired five rounds at the suspect. Shackelford said immediately afterwards, the suspect lowered his weapon and went back inside the apartment. Deputy Shackelford said he did a tactical reload of a fresh magazine after the first volley. Deputy Shackelford said his back drop was the apartment's ceiling and upper walls. He was aware there were children inside the apartment.

He said his angle of fire was in an upward direction, above the height of any children inside. Shackelford said the was sufficient lighting on the suspect, and lights in the apartment silhouetted the suspect.

Shackelford said after this occurred, a child came to the open doorway and he yelled to her to come out. This child and two other children exited and were removed to safety out of the area. Deputy Shackelford said after the children were removed from the location, he spoke to the victim in apartment [redacted] and confirmed there were no additional children or occupants in the apartment with the suspect. Deputy Shackelford said he was aware the situation had changed from active shooter to a static barricaded suspect. He said they continued to yell at the suspect to give up and come out of the location. He said the deputies were going to hold their positions and await the arrival of S.E.B.

Deputy Shackelford said he saw the metal security door open and Suspect Smith was observed crawling out of the apartment on the floor. For a second time, the suspect raised his gun, over his head, pointing it at Deputy Shackelford, as well as the other deputy sheriffs. Deputy Shackelford responded by firing one round at the suspect. He stated that after doing so, the suspect appeared to backup and crawled back into apartment. Almost immediately after that, Deputy Shackelford stated he heard a gunshot that appeared muffled in volume from inside of the apartment.

SANDOVAL, Jose, Deputy Sheriff, [redacted]

Deputy Sandoval was interviewed by Homicide Investigators Weireter and [redacted] on 09-09-2005, at 0725 hours. The interview took place at Compton Station, and he was represented by Mr. Derald Brenneman, of the law firm of Green & Shinee. Deputy Sandoval was not initially interviewed by Internal Affairs Bureau about the shooting because he was off work on an industrial injury. Several attempts were made to interview Deputy Sandoval, but his physician would not allow Deputy Sandoval to be interviewed for medical reasons. On February 21, 2007, Deputy Sandoval had returned to light-duty status and was interviewed at Internal Affairs Bureau by Sergeants Larry Landreth and Steven Kim. Deputy Sandoval was represented by Mr. Derald Brenneman, ALADS Counsel. The interview was recorded and the following is a summary of the interview:

Deputy Sandoval said on 09-08-2005, he was working with Deputy Brandon Dean, his [redacted] and they were assigned as Unit282A/PM. Deputy Sandoval stated they received a radio call to assist on an assault with a deadly weapon in progress, active shooter call in the 4700 block of Rosecrans Avenue.

Deputy Sandoval said as the responded, they were instructed to meet up with other units near the location. He said they formed up in the intersection of Rosecrans and Frailey Avenues. Sandoval said Deputy [redacted] was setting up a plan to handle the incident and he told Sandoval to go to the sergeant's vehicle and retrieve the ballistic shield. ***He said he took the shield from the Sergeant's car and gave it to Deputy Sumner, who in return handed him a shotgun.***

IAB Note: It was determined the expended shotgun shell (EV#18) recovered, photographed, and documented by the Crime Lab, from where Deputy Sandoval reported firing from was a Winchester, low brass, shot shell consistent with a non-departmental bird shot round. Refer to Exhibit A, page 40.

Deputy Sandoval said he and the other deputies were assigned as an Arrest/Contact Team and that radio traffic indicated there was an active shooter at the scene and that the station desk had heard shots being fired. Deputy Sandoval said he heard at least one shot fired just after he arrived at the location.

Deputy Sandoval stated he and the other deputies approached that location from a pathway on the east side of [redacted] Rosecrans and positioned themselves at the northeast corner of the house. He said he looked in a northwesterly direction to the second story balcony of the rear apartment complex and saw the suspect, wearing dark clothing and holding a dark revolver in his right hand, exit his apartment.

IAB Note: Deputy Sandoval provided a diagram of his location and positioning during the shooting, refer to Exhibit D.

Deputy Sandoval said the suspect raised his right arm and pointed the gun at him and the other deputies. He said the suspect extended his right hand in their direction slightly downward. He said as he began to raise his shotgun towards the suspect, the other deputies began to fire their weapons at him. He said he was not sure if the suspect fired at the deputies and because of where he was positioned, he was unable to fire. He said the deputies fired five to six shots and the suspect retreated inside his apartment.

Deputy Sandoval said a short time later, three young girls ran out of the apartment and Deputies Dean and Iberri moved them to safety to the rear (north) of the complex. He said after the first shots were fired by the deputies, he did not know if the suspect had been shot.

Deputy Sandoval stated as the incident continued, he could see the suspect walking back and forth inside his apartment. He said the suspect then crawled outside the apartment, on his stomach holding the gun in his right hand. He said the suspect raised the handgun up over his head and pointed the gun at him and the other deputies. Deputy Sandoval said he believed the suspect was going to shoot at them and fired one round from his shotgun at the suspect. He said other deputies also fired at the suspect.

IAB Note: One expended Winchester 12 gauge "red" shotshell (EV#18) was recovered from where Deputy Sandoval reported firing. Per Senior Firearms Examiner Jim Carroll, the round was a low-based, non-departmental shotshell that once contained "bird shot" pellets. Refer to Exhibit A, page 40 and Exhibit C, for photographs of the expended

round.

Deputy Sandoval stated he was approximately 25 yards to the east of the suspect when he fired at him and that lighting was provided by a courtyard light and lights from inside the apartment. He said he thought his round struck the suspect.

> **IAB Note: A review of the Los Angeles County Coroner's Autopsy report, under file# 2005-06905,revealed Deputy Medical Examiner Ajay J. Panchal, M.D., documented in "Sub-Lethal Injuries" category, *"48 inch x 16 inch area of injury consistent with intermediate target firearm of indeterminate direction and indeterminate range of fire..."* This was possibly injuries sustained from "bird shot" pellets. Refer to Exhibit A, page 246. For results of the possible nature of the injuries, see the witness interview of Dr. Panchal on page 41.**

Deputy Sandoval said the suspect re-entered the apartment after the second volley of gunshots. Deputy Sandoval stated approximately two minutes later, he heard a single gunshot from inside the apartment. He said he maintained his position until he was relieved by deputies from the Special Enforcement Bureau five to ten minutes later.

Deputy Sandoval said during the entire incident, he heard the other deputies yelling at the suspect to put the gun down, put his hands up, and surrender. He also stated when he and the other deputies first arrived at the location and were setting up their tactical plan, he heard a gunshot from inside the apartment.

Deputy Sandoval was re-interviewed on April 24, 2007, regarding the issue of shotgun ammunition. The interview took place at Internal Affairs Bureau and was recorded for review. Deputy Sandoval was represented by Mr. Derald Brennman, of the law firm Green & Shinee.

> **IAB Note: In Deputy Paul Casas' interview of November 21, 2006, he stated he removed the shotgun from Deputies' Dean and Sandoval vehicle, did not reload the weapon, and discharged it at the suspect. Refer to page 9 of this narrative.**

Deputy Sandoval said on September 8, 2005, he was assigned as 282A on the PM shift with Deputy Brandon Dean. Deputy Sandoval said he was a newly assigned deputy and on [redacted] with Deputy Dean as his [redacted] Sandoval said he checked and loaded their shotgun at the beginning of their shift prior to 1500 hours. He said he loaded the shotgun with four 12 gauge Remington .00 Buck rounds and placed four Remington 12 ga. "Slug" rounds in the ammo pouch attached to the shotgun butt. Deputy Sandoval said neither he or Deputy Dean removed the shotgun from the vehicle prior to the shooting on Rosecrans Boulevard. He said he did not remove or reload any of the rounds in the shotgun. Sandoval said he purchased the rounds from a Big 5 sporting goods store and maintained possession of them. Deputy Sandoval said he could not understand why

Deputy Casas would have discharged a slug shotgun round during the incident if he did not reload the weapon.

MAYA, Mauricio, Deputy Sheriff, [redacted]

Deputy Maya was interviewed by Homicide Investigators on 09-09-2005, at 0646 hours. The interview took place at Compton Station, and he was represented by Mr. Derald Brenneman, of the law firm of Green & Shinee. Deputy Maya was interviewed again on November 21, 2006, by IAB investigators Sergeant Larry Landreth and Frank Quichocho. Deputy Maya was again represented by Mr. Derald Brenneman, of the law firm of Green & Shinee The interview took place at Internal Affairs Bureau. Both interviews were tape recorded and the following is a summary of the interviews.

Deputy Maya said on 09-08-2005, he was assigned as Unit 281T1/PM, a one-man traffic car, when around 2200 hours, he received a radio call of an assault with a deadly weapon now. He said the call was updated, indicating that shots were being fired and could be heard over the phone by desk personnel. The call was again updated indicating the suspect had shot his [redacted]

Deputy Maya stated he responded to the call from Compton Sheriffs Station, "Code 3". He said he drove his radio car west of the location on Frailey Avenue, where other deputies gathered in response to the call. He stated at that time, Sergeant Woods arrived and Maya retrieved the AR-15 rifle from Woods' radio car. Deputy Maya said Sergeant Woods authorized the deployment of the AR-15 rifle. Deputy Maya stated he informed the handling unit, Deputy [redacted] that he was in possession of and deploying the AR-15 rifle.

While preparing to deploy and take positions of containment, Deputy Maya stated he was advised over a Sheriff's radio that the suspect was now on the balcony of the location. He stated that the address provided in the call was the single-story residence, that was located just south of the two-story apartment wherein the suspect was located. He stated based on the information he had received in the call, he knew the suspect had to be in the rear second-story unit.

Deputy Maya said he and other deputies were grouped together and preparing to deploy from west of the suspect's location. He stated he moved eastbound in an effort to attempt to locate the suspect. Deputy Maya stated a plan had been developed to create an contact/arrest team, and the team approached the rear of [redacted] Rosecrans on the east side. Deputy Maya stated the contact/arrest team was comprised of five deputy sheriffs. He indicated the names of these deputies were Deputies [redacted] Phillippi, Sumner, Sandoval and Shackelford. Maya said he was a designated shooter.

Deputy Maya said from his position, he could see two apartments on the east and west side of the second-story structure. This location was located north of the single-family residence, behind which he was using for cover. He stated he could see a female in the window of the furthest east apartment, and he ordered her to go to the back of the apartment and lay down on the floor. Maya said commands were also being given by Deputy [redacted]

IAB Note: Deputy Maya provided a diagram of his location and positioning during the shooting, refer to Exhibit D.

Deputy Maya described the lighting on the second floor landing of the apartment as being dim. He stated that the suspect presented himself in the doorway of the apartment, located on the west side of the building. Maya said the suspect was standing in the doorway approximately 2 to 3 feet behind the plane of the door. He stated a little girl was standing beside the suspect. Deputy Maya stated that the little girl moved out of the way and out of his view. He stated at that time, the suspect stepped forward onto the balcony and had a gun in his hand. Deputy Maya stated that the suspect was looking in the direction of the arrest team and he could see the suspect holding the gun in his right hand.

Deputy Maya said no rounds were fired by deputies when the children were in view with the suspect. The presence of the children was also made known by Deputy Maya, who announced to other team members that he saw the children in the presence of the suspect. Deputy Maya stated that several commands were given for the children to exit the suspect's apartment, from the moment they were first seen in the doorway. The suspect returned inside of the apartment.

A couple minutes later, the suspect exited from the apartment. Deputy Maya said he was terrified when he saw the suspect exit the apartment with a gun in his hand and he pointed it in their direction. He stated he thought one of the deputies was going to be shot by the suspect. He stated when he first saw the suspect he did not fire his weapon because he did not have him in the proper sight picture. He indicated that at the time the suspect presented himself, he had briefly lowered his rifle due to arm fatigue. He stated it was at this time that other members of the arrest team fired at the suspect.

Deputy Maya said he heard between four and five rounds being fired by the arrest team members. Deputy Maya stated that he learned after the shooting incident that Deputies Phillippi and Shackelford fired their weapons at the suspect. He stated when the deputies fired, the suspect was pointing his weapon at them. He stated after the deputies fired, the suspect retreated into the apartment and out of view.

Deputy Maya said he held his position and trained his weapon at the apartment doorway. Deputy Maya stated that members of the arrest team were yelling commands to the occupants of the apartment east of the suspect's location. He stated he also knew deputies were positioned in the alley located just north of the suspect's location.

Deputy Maya said at this time three child exited the suspect's apartment and were directed off of the balcony to the stairway, and out to safety . He stated he saw the suspect appear in the doorway, low-crawling on his stomach, after the children exited the apartment. Maya said the suspect had a gun in his right hand, which he raised up over his head and pointed in a downward direction. He stated that the metal screen door was partially open. He stated at this time he had a clear shot at the suspect and fired one round from his AR-15 rifle. He believed that Deputy Sandoval also fired one

shotgun round at this time, from the same position. Deputy Maya stated that the suspect scooted back into the apartment and out of view.

Deputy Maya stated after a short period of time, he heard one muffled gunshot from inside the apartment. He stated that approximately five minutes passed, and the arrest team deputies held their position at the northeast corner of the residence, located south of the suspect's position. He stated a short time later, he and the other arrest team members were relieved by deputies from the Special Enforcement Bureau Special Weapons Team.

Deputy Maya stated that at the time of the shooting, Suspect Smith was in an elevated position, approximately 15 feet above the arrest team. Deputy Maya stated the arrest team members never advanced away from the cover provided by the residence. He described the distance from their position to that of the suspect as approximately 30 feet.

Deputy Maya stated that during the response to the incident, he recalled receiving information via Sheriffs radio that the suspect might be on phencyclidine (PCP). He believed this information came to him at the time he retrieved the AR-15 rifle from Sergeant Woods' vehicle. Deputy Maya stated he is very familiar with PCP intoxication; however, because of the distance and lighting conditions, he was unable to note any symptoms displayed by the suspect.

MORIEN, Joseph, Deputy Sheriff, [redacted]

Deputy Morien was interviewed by Homicide Investigators on 09-09-2005, at 0535 hours. The interview took place at Compton Station, and he was represented by Ms. Elizabeth Gibbons, of ALADS. Deputy Morien was interviewed again on November 15,2006, by IAB investigators Sergeant Larry Landreth and Jack Ramirez. Deputy Morien was represented by Mr. Derald Brennaman, ALADS. The interview took place at Internal Affairs Bureau. Both interviews were tape recorded and the following is a summary of the interviews.

Deputy Morien said he was assigned to the C.O.P.S. Bureau Countywide Team. He and his partner, Deputy Steven Marella, [redacted] were assigned as Unit #280N5. Morien said on 09-08-2005, he and other members of the Countywide COPS Team were assigned to patrol the East Rancho Dominguez area. He stated that while on routine patrol, he and his partner heard a call of an active shooter on Rosecrans Avenue. He stated that he and his partner were approximately one mile away from the shooting incident at Compton Boulevard and Long Beach Boulevard when they heard the radio call. He said they drove toward the drove to the location of the shooting.

Deputy Morien stated that while responding to the shooting call, he was advised that one person was shot and the suspect was firing additional rounds. He stated the handling unit from Compton Sheriff's Station directed all assisting units to meet at the intersection of Rosecrans and Frailey Avenues.

Morien said the handling unit, Deputy [redacted] had a plan intact to handle the active shooter. Deputy Morien said upon arriving at this meeting point, he received information over the radio that the suspect was now inside of the location on Rosecrans Avenue. Deputy Morien said he parked his

radio car east of the location on Rosecrans Avenue, along with other responding deputy sheriffs.

Deputy Morien said the handling unit and two additional units took a position on the west side of the suspect's location. Morien said he, Deputy Marella and Deputy Felmer, all assigned to the Countywide COPS Team, took a position of containment on the east side of the suspect's location. Deputy Morien indicated that Deputy Felmer was armed with an AR-15 rifle, he was armed with his 9mm "Beretta" pistol and Deputy Marella was armed with his 9mm pistol.

Deputy Morien stated as they approached the suspect's location, the first position they took was at the front or south side of [redacted] Rosecrans, directly south of the two-story apartment in which the suspect was located. He said five to six people, two of them adults and three to four children, were evacuated from this front single-story residence located at [redacted] East Rosecrans Avenue. He stated the evacuees were escorted away from their residence and eastbound on Rosecrans Avenue. Deputy Morien said the evacuees were led from their position at the residence to awaiting deputies east of the suspect's location.

IAB Note: Deputy Morien provided a diagram of his location and positioning during the shooting, refer to Exhibit D.

Deputy Morien stated the male adult evacuee from the front residence told him he heard numerous rounds fired from the suspect's location. He said this comment was made to him as the witness was being evacuated. Deputy Morien said the male evacuee told him he believed the suspect had shot one of the children in the upstairs apartment. He stated the male evacuee also told him the suspect was in the rear residence and still at the location.

Deputy Morien said he and Deputy Marella walked to the east side of the front house and took the walkway northbound along the east side of the front residence. He stated they proceeded northbound approximately 75 feet and took a position at the northeast corner of [redacted] Rosecrans (refer to photographs in Exhibit C). Deputy Morien stated from this position, he was able to see the suspect's residence, referring to the second-story apartment located on the west side of the structure. Deputy Morien indicated a light affixed to the north wall of the single-family, single-story residence he was adjacent to was on. He said the light was providing a bright light to the courtyard area. He stated Deputy Marella entered the front residence and turned this light off allowing them additional concealment.

Deputy Morien said there was an additional light on the two-story apartment building on the porch area, which was also on and providing some light in the courtyard area. He further added that the lights inside the suspect's apartment were on, and could clearly be seen through the open windows and open doorway.

Deputy Morien said he was then joined by Deputy Marella, Deputy Felmer and two Gang Enforcement Team (GET) deputies. He stated they remained in this position for approximately 10 minutes. During that time frame, he stated commands were being given to the suspect from a

position west of his location. He said during that 10-minute period, he was acting as the spotter for Deputy Felmer, who was armed with an AR-15 rifle.

Deputy Morien stated the first time he saw the suspect was when he walked through the apartment doorway onto the balcony. He stated he could see the suspect holding a gun in his right hand.

Deputy Morien stated the suspect broke the plane of the doorway to the apartment and took one large step forward onto the balcony. He indicated the suspect raised the gun in his right hand toward deputies, that were advancing on the location to rescue the children in the apartment. He stated that these deputies were positioned west of his location and out of his view. He stated he clearly heard over the Sheriffs radio frequency and became aware, the contact team deputies were advancing on the apartment.

Deputy Morien stated when the suspect raised his gun and pointed it at the deputies, he immediately yelled to Deputy Felmer, "Green light, green light", indicating to Felmer to take the shot. He said he believed Deputy Felmer did not shoot and Morien, fearing for their live, fired two rounds at the suspect from his Beretta 9mm pistol. He said his pistol was equipped with a laser sight and a flashlight device (both were activated).

Deputy Morien said he was concerned for the safety of the rescue team deputies when he fired two rounds from his weapon. He indicated that the metal screen door to the suspect's apartment was open and he could clearly see the suspect. He stated that the door opens toward the west and is hinged on the west side of the doorway. Deputy Morien said his angle of fire was upward toward the apartment ceiling and upper wall area.

Deputy Morien said after he fired his rounds, the suspect went down and he believed the suspect was struck by the rounds he fired. He stated he could not see if the suspect fell to his knees or fell flat to his stomach. He stated the suspect was now out of view behind the balcony railing. He stated there were no other people on the landing when he fired the two rounds from his Beretta pistol. Deputy Morien stated he heard three or four additional rounds being fired from a position west of his location when he fired his rounds. Deputy Morien said when the suspect presented himself on the second-story balcony of the apartment, and pointed his weapon at the deputies, he did not see a muzzle flash from the suspect's weapon.

Deputy Morien stated he heard, over the Sheriffs radio, an announcement of a deputy involved shooting, which was made from a position west of his location. Deputy Morien said he heard over the Sheriffs radio frequency the suspect was down, but had gone back into the apartment.

Deputy Morien said approximately 30 seconds had passed after this initial shooting, at which time two or three children ran out of the suspect's apartment. He indicated that a deputy sheriff secured the children, who ran east from the suspect's apartment, and down the stairway at the east end of the balcony. He further stated he remained focused on the doorway of the suspect's apartment.

Deputy Morien said approximately two minutes later, a second volley of shots were fired at the suspect's location. He indicated that the shots came from the west side of the suspect's location. He described the number of shots being fired as more than eight. He stated he did not hear the AR-15 rifle being fired in the second volley of shots. Deputy Morien said he later learned that Deputy Felmer had fired the AR-15 rifle; however, he did not know how many rounds were fired from the weapon.

Deputy Morien said he heard additional radio communications advising the Special Enforcement Bureau Special Weapons Team was being notified. Morien said he believed all of the children had exited the apartment. This information was being provided by someone at the command post, which had been established for this incident.

Deputy Morien stated he and the other deputies waited in the same position for approximately 15 to 20 minutes until he was advised by Sergeant Woods to stand down and leave the location as the Special Enforcement Bureau Special Weapons Team was on scene and in position.

Deputy Morien stated that Sergeant Woods gathered the deputies together and confirmed the names of the deputies who had actually deployed and fired their weapons at the suspect. He said he was directed to respond to Compton Station and await Homicide Bureau.

FELMER, Robert, Deputy Sheriff, [redacted]

Deputy Felmer was interviewed by Homicide Investigators on 09-09-2005, at 0617 hours. The interview took place at Compton Station, and he was represented by Mr. Derald Brenneman, of ALADS. Deputy Felmer was interviewed again on November 15,2006, by IAB investigators Sergeant Larry Landreth and Jack Ramirez. He was represented by Mr. Derald Brenneman, of ALADS The interview took place at Internal Affairs Bureau. Both interviews were tape recorded and the following is a summary of the interviews.

Deputy Felmer stated that the night of the incident, he was working a one-man car, Unit #280N-2. Deputy Felmer said when he and the other members of the C.O.P.S. Team were involved in a felony traffic stop in the east end of Compton. Deputy Felmer said a 245N call came out over the radio in the 4700 block of Rosecrans Avenue. He said as he and his fellow team members were driving to the location, the call was updated to "shots fired" and the Compton Sheriffs Station desk personnel could hear the shots fired while talking to the informant on the telephone.

Deputy Flemer stated he and the other team members were en route to the location, he heard a request for an AR-15. He acknowledged he had an AR-15 and would be coming with it. He said he drove to the east of the location and parked. He retrieved his departmental AR-15 from the trunk of his radio car and loaded the weapon. He saw a male Hispanic, approximately four houses west of his location waving at the Deputies and pointed to the north. Deputy Felmer said he remembered Aero Bureau arrived shortly thereafter. He recalled hearing that the suspect may have shot someone inside his apartment but did not know where the victim was.

Deputy Felmer said as he and the other deputies approached the location from east to west, an unidentified female Hispanic pointed towards the second story of the rear apartment complex. He said he, as well as Deputy Morien, took up a position at the rear (north) of [redacted] Rosecrans. He said he had a clear view of the front door of the suspect's location and partially inside the apartment. Deputy Felmer estimated that he was approximately 40 yards east of the suspect's location. He said he was kneeling down and Deputy Morien was standing behind him acting as a spotter.

IAB Note: Deputy Felmer provided a diagram of his location and positioning during the shooting, refer to Exhibit D.

Deputy Felmer said as the radio continued to give updates, he heard that a lady had been shot and that there were children inside the suspect's apartment. Deputy Felmer indicated at one point he saw a young girl exit then re-enter the apartment.

Deputy Felmer said he heard radio traffic that Compton Station deputies were assembling a contact team to rescue the children and the victim who had been shot.

Deputy Felmer said as he continued to watch the front door of the suspect's apartment, he saw a male Black (Suspect Smith) standing in the open doorway. He remembered hearing the rescue team was approaching the location but he was unable to see them. The radio traffic indicated they were approaching the location from the front house moving to the north [redacted] Rosecrans).

Deputy Felmer said he saw a young girl exit the location, followed by the suspect, who was holding a pistol in his right hand. He said the young girl left his view and the suspect walked back into the apartment.

Deputy Felmer said seconds later the suspect exited the apartment a second time, still holding the handgun in his right hand at a 45 degree angle, and began walking on the balcony, in a eastbound direction towards the area the rescue team was located. Deputy stated he was sure the suspect was going to engage the contact team with his weapon and fired one round from his AR-15 at the suspect. He said that simultaneously, Deputy Morien, who was still directly behind him, fired approximately two rounds at the suspect. He said he heard several additional gunshots at this time. He also said when he fired at the suspect, he had a clear view of his head and upper torso.

After this occurred the suspect immediately backed into his apartment, and Deputy Felmer heard a radio broadcast of "998," deputies involved in a shooting, by an unknown deputy. He said a few minutes later there was another radio broadcast that the suspect had exited the apartment and was crawling on the balcony, still armed with the handgun. He said he could not see the suspect, but within seconds there was a second volley of gunshots, but he did not fire again.

Deputy Felmer said sometime between the first and second volley of shots, he remembered seeing

three young girls exit the apartment and they were moved to safety by deputies.

Deputy Felmer indicated after the second volley of shots, the suspect went back inside his apartment. Deputy Felmer said approximately three to five minutes later, he heard a single gunshot that he described as "muffled" from inside the apartment. He said he maintained his position until deputies from the Special Enforcement Bureau arrived and relieved him.

Deputy Felmer said he never heard any shots fired prior to when he shot at the suspect, He said when he first shot at the suspect, he (suspect) was pointing his gun in a southeasterly direction, where he believes the rescue team was positioned. Deputy Felmer said he was not sure if the suspect shot at the deputies.

SUSPECT STATEMENTS:
The suspect was deceased at the scene. Refer to witness interviews for statements the suspect made prior to the shooting.

DEPARTMENT WITNESS STATEMENTS:

WOODS, Bryon, Sergeant, [redacted]
Sergeant Woods was interviewed on 09-09-06, by Homicide Investigators, Sergeant Steve Katz and Detective Kathy Gallagher. Sergeant Greg Key, Internal Affairs Bureau, was also present for the interview. The interview took place at Compton Station and was recorded for review. On October 23, 2006, at 1015 hours, Sergeant Woods was interviewed by Sergeants Larry Landreth and David Stunson. The interview took place at Internal Affairs Bureau and was recorded for review. The below summary is compiled from both interviews.

Sergeant Woods said he and his deputies received a call of a spousal assault, with shots fired. He said Compton desk reported hearing shots in the background and the victim was shot at location by the suspect. The victim reported there were three children with the suspect. He said Compton Sheriff's Station units were dispatched to the call of an active shooter.

Sergeant Woods said Deputy [redacted] was given the handle on the call and [redacted] requested all responding units meet with him on Frailey Avenue, just east of the location. Sergeant Woods said once the units arrived, Deputy [redacted] discussed the situation and assigned deputy personnel to specific tasks. Woods said deputy [redacted] asked for both lethal and less-lethal weapons, a shield, and assembled an arrest/contact team. Sergeant Woods said he approved [redacted] plan. Once a plan had been quickly formulated and tasks assigned, they went to the scene.

Sergeant Woods said when Compton Sheriffs Station units arrived, they actually heard gunfire coming from the suspect's residence. Sergeant Woods said Compton Sheriffs Station deputies, assisted by deputies assigned to the Countywide Community Oriented Policing (COPS) Team, began to contain the immediate location. Sergeant Woods stated that he too responded to the scene as the field supervisor.

Sergeant Woods said the arrest team approached the apartment located north of a single-family residence in front of the suspect's apartment. Sergeant Woods said he observed Suspect Smith shooting a small revolver inside of a second-story apartment, located to the rear of a single-family residence at the location.

IAB Note: Sergeant Woods provided a diagram of his location and positioning during the shooting, refer to Exhibit D.

Woods said other deputies began to evacuate the residences in front of the apartments. Sergeant Woods said deputies from the arrest team called out with verbal commands for the suspect to surrender, come out showing his hands. Woods said the suspect was seen moving in the apartment doorway holding a gun in his hand. He also said he saw children in the apartment with the suspect.

Sergeant Woods said the suspect exited the front door of the location with his children while holding a gun in his right hand. He stated that the suspect then retreated back into the apartment and out of view of deputy sheriffs.

Sergeant Woods said that the deputies again called the suspect out of the second-story apartment Sergeant Woods stated that in response to the commands to exit the apartment, Suspect Smith exited the south facing door of the apartment, and walked onto the second-story balcony. He stated the suspect pointed his gun at the arrest team deputies. Sergeant Woods said the deputies fired at the suspect.

Sergeant Woods stated after first deputy involved shooting, the suspect retreated back inside of the apartment. Woods said he saw children in the apartment doorway, and several deputies ordered them to exit the residence. Sergeant Woods said he saw three small children exit from the suspect's apartment, walk westbound along the second-story balcony, and down a flight of stairs at the east side of the building. He said once the children were in a safe position on the stairwell, members of the arrest team broke from cover, grabbed the children and continued running with them northbound toward the alley north of the suspect's location. Woods said once the children were taken to safety, they were secured with other uniformed deputy sheriff personnel in black and white radio cars.

Sergeant Woods said he saw Suspect Smith exit the apartment doorway a second time with his weapon in his hand and pointed it at deputy sheriffs. Sergeant Woods said a second deputy involved shooting occurred, wherein deputy sheriffs fired at Suspect Smith as he stood on the second-story balcony of the apartment.

Sergeant Woods said he believed there were no other persons in the apartment with Suspect Smith. Woods said the suspect's [redacted] had taken refuge in apartment [redacted]

[redacted] to the suspect's location.

Sergeant Woods said after the second deputy involved shooting, Suspect Smith again retreated into apartment [redacted] He said that he made a decision to treat the situation as a barricaded suspect because he believed all of the occupants inside of the suspect's apartment had fled to safety. Sergeant Woods said he directed deputies to cover the entrance to the suspect's apartment, thereby providing safety and security for Victim [redacted] and the residents of Apartment [redacted] from Suspect Smith. Sergeant Woods said he directed the deputies to wait for the arrival of the Special Enforcement Bureau Sheriffs Department Special Weapons Team, which had been requested by Deputy [redacted]

Sergeant Woods said after a period of approximately five minutes, a single muffled gunshot was heard coming from the suspect's apartment. He said after that muffled gunshot, no further gunshots were heard, nor were any additional gunshots fired by deputy sheriffs.

Sergeant Woods said Special Enforcement Bureau personnel arrived and relieved Compton Sheriffs Station and the Community Oriented Policing Team deputy sheriffs from their positions of containment around the suspect's location.

Sergeant Woods said after a period of time, Special Weapons Team members made entry in to the suspect's apartment where they indicated to him they found Suspect Smith on the floor with a single gunshot wound to his head, and what appeared to be an additional gunshot wound to his lower legs.

DEAN, Robert, Deputy Sheriff, [redacted]

Deputy Dean was interviewed on 09-09-2005, at 0750 hours, by Homicide Bureau Detectives [redacted] and Weireter. Also present was Sergeant Greg Key of Internal Affairs Bureau. The interview took place at Compton Station and was recorded for review.

Deputy Dean stated shortly before 2200 hours, he heard a radio call of an assault with a deadly weapon/shots being fired now, at the intersection of Rosecrans and Atlantic Avenue in the city of Compton. He stated the information put out in the call was that the [redacted] at the location was shooting a handgun and there were children present. Deputy Dean said he and his partner, Deputy Sandoval, were at 155th Street and Central Avenue, when they began responding to the incident.

Deputy Dean said several units responded to the intersection of Rosecrans and Frailey Avenues in Compton, and they were assembling a tactical plan from that location. Deputy Dean stated he was told to take up a position on the northeast corner of the front residence. This position gave Deputy Dean an excellent vantage point of the rear apartments where the suspect was last seen. Deputy Dean stated he walked up the walkway, which would be on the east side of the single-story residence located a[redacted] east Rosecrans Ave. Deputy Dean said Deputy

Sumner was with him and he had a ballistic shield.

Deputy Dean stated several minutes had passed and his attention was focused on Apartment [redacted] upstairs. Deputy Dean said he heard a single gunshot coming from Apartment [redacted] and he saw a muzzle flash coming from the inside of Apartment [redacted] Deputy Dean said the courtyard area was poorly lit. He stated he saw that the door was open to Apartment [redacted] and the door was closed at Apartment [redacted]

Deputy Dean said there were several deputies with him, posted at his position. He stated Deputies Sumner and Phillippi were directly in front of him, posted at the northeast corner of the front residence. He said his vantage point was focused on the upper Apartment, #[redacted] where the suspect had been reported. He stated he could see a small female child standing behind the suspect. He observed the screen door was opened to the west and he had a clear view from where he was positioned. Deputy Dean observed a revolver in the suspect's right hand. He also observed the suspect looking down in a southeast direction toward he and his fellow deputies. Deputy Dean said the suspect's right hand was down to his side, and suddenly he raised the gun to his chest level in their direction. Deputy Dean said the suspect did not say anything during the incident. Deputy Dean stated he believed the suspect was definitely going to fire the weapon at he and his assisting deputies; however, he was not able to take a shot at the suspect without possibly harming a the child behind the suspect. Deputy Dean said he heard several radio broadcasts that there were children inside of Apartment [redacted] with the suspect.

Deputy Dean said throughout the incident, there were numerous commands given to the suspect to drop his weapon. Deputies also told the suspect to allow the children to exit the apartment. Deputy Dean said the suspect disappeared from his view due to the wrought iron fence surrounding the apartments. He stated he did see muzzle flash from inside the apartment and this alarmed him. At this time, one small female child exited the apartment and ran to the stairway. Deputy Dean said she appeared very confused. An assisting deputy ran to the foot of the stairs, took control of the child, and ran down the stairwell, northbound to the rear alley.

Deputy Dean said he remained at his position and saw the suspect again at the threshold of the door of Apartment [redacted] He stated again the suspect was holding a handgun in his right hand. The deputies continued to tell the suspect numerous times to drop his weapon. Again the suspect pointed the weapon at the deputies and Deputies Phillippi and Shackelford fired approximately five rounds at the suspect. Deputy Dean stated the deputies fired from a position directly in front of him. After the shots were fired the suspect retreated back into Apartment [redacted] Deputy Dean said he heard the deputies put out a shots fired call over the radio, at the time of the shooting incident.

Deputy Dean said approximately one minute later, two additional children exited Apartment [redacted] and stopped at the top of the stairwell. Deputy Dean ran to the top of the stairwell, took hold of both children, and guided them away northbound to the alley. Deputy Dean said he took the children to a safe position where a radio car was parked. He stated the children were tended

to, by Los Angeles County paramedics, and one of the children had a small cut on her foot. Deputy Dean transported the children to the command post a short time later.

Deputy Dean said he asked the children who was inside Apartment [redacted] with them, and they told him their [redacted] was the only other person inside the apartment. Dean said the children told him they did not know whether their [redacted] was under the influence of any drugs or alcohol. They also stated they were unsure if there were additional weapons in the location. Deputy Dean stated the 5-year-old child told him that the suspect did not like the police and he said he would shoot at them.

Deputy Dean said there was communication into Apartment [redacted] where the suspect's [redacted] fled to. He stated they were able to communicate to the occupants in [redacted] through an open kitchen window. Deputy Dean said they told the occupants of Apartment [redacted] to stay low in the apartment to insure their safety.

Deputy Brandon Dean was interview by Internal Affairs Bureau Sergeants Larry Landreth and Frank Quichocho on April 24, 2007, regarding the issue of shotgun ammunition. The interview took place at Internal Affairs Bureau and was recorded for review. Deputy Dean was represented by Mr. Derald Brennman, of the law firm Green & Shinee.

IAB Note: In Deputy Paul Casas' interview of November 21, 2006, he stated he removed the shotgun from Deputies Dean's and Sandoval's vehicle, did not reload the weapon, and discharged it at the suspect. Refer to page 9 of this narrative.

Deputy Dean said on September 8, 2005, he was assigned as 282A on the PM shift with Deputy Jose Sandoval. Deputy Dean said he the [redacted] for newly assigned Deputy Sandoval. Deputy Dean said he did not check and load the shotgun on September 8, 2007. He said he was the driver and Deputy Sandoval was the "Bookman" and therefore the person who checked out the shotgun, loaded it, and placed it in their vehicle's rack. Deputy Dean said he had no knowledge why Deputy Casas would have discharged a "slug" from their shotgun.

SINCLAIR, Shelia, Deputy Sheriff, [redacted]

Deputy Sinclair was interviewed by Homicide Detective Lillienfeld on 09-09-2005, at about hours. Deputy Sinclair was the helicopter pilot of the airship over the shooting incident. Sinclair said she attempted to communicate with the ground units, identifying them by their rooftop numbers, and giving them instructions to set up a containment in particular positions around the complex. She stated the radio cars, and the deputies appeared to be clustered in certain positions around the incident, and she was having difficulty in communicating with them to direct them to spread out further, to better control the incident.

Deputy Sinclair said the spotlight on the helicopter stopped working, just as they arrived on scene.

And Deputy Sinclair had to use the landing light on the aircraft as a substitute to illuminate the scene. The landing light was somewhat dimmer than the standard spotlight and she had to lower the aircraft down to approximately 300 feet above the ground, which she said was lower than what was traditionally flown at. The lower altitude resulted in an increased noise level and making it hard for the deputies below to her radio traffic.

KOCISKO, Mark, Deputy Sheriff, [redacted]

Deputy Kocisko was interviewed by Homicide Detectives Shonka on 09-09-2005. Deputy Kocisko was the helicopter observer of the airship over the shooting incident. Deputy Kocisko said he did not witness the actual shooting. He said he was unaware of it occurring until it was broadcast over the radio. At no time during the incident did Deputy Kocisko see the suspect come out of the apartment and confront the deputies on the ground.

IBERRI, Joseph, Deputy Sheriff, [redacted]

Deputy Iberri was interviewed by Homicide Bureau Detectives, Jeff Cochran and Elizabeth Smith, at 0735 hours on 09-09-05. The interview took place at Compton Station and was recorded for review.

Deputy Iberri said he was working Compton Station Unit 287 PM shift with his partner Deputy Robert Dean when the incident took place. He said he had ended his shift, logged off of the MDT (Mobile Digital Terminal), and they were returning to Compton Station when they heard an emergent,"man with a gun, now" call announced on "L-tac" (the car to car) frequency. He said he and Deputy Dean decided to respond to the call on Rosecrans Avenue.

Deputy Iberri said the initial location of the call was incorrect and they responded toward the wrong location when the call was updated to the correct address of [redacted] East Rosecrans Avenue. Iberri said they were one of the first units to arrive, where they were flagged down by a female informant. The female was scared and was crying hysterically. She told them, "the guy is standing on the porch, he's got a gun." He relayed the information over the radio to responding units.

Deputy Iberri said Compton desk personnel had been announcing updated information from a caller, and stated that suspect on the balcony shooting, then updated that the suspect was inside the apartment. He remembered the desk stating that they could hear shooting in the back ground and could hear children screaming. He said desk personnel also provided information over the radio that the suspect was possibly "390P" (under the influence of Phencyclidine).

Deputy Iberri said he and several deputies on scene believed they had an "active shooter" and that there were children in danger and decided to go in to intervene. He stated he believed the suspect was possibly going to shoot the children and commit suicide, or possibly exit his apartment shooting at deputies.

He said he was also concerned about the suspect being under the influence of Phencyclidine, because of the unexpected behavior exhibited by someone under the influence of PCP.

Deputy Iberri said he and Deputy Dean arrived from west of the location and moved on foot east with several deputies that formed up and were going to approach the location. He said they walked north along the east side of the front residence at [redacted] Rosecrans Avenue. He said he believed Deputies Dean, [redacted] Phillipi, Shackelford, Sandoval, Maya, and Sumner were a few of the deputies at the scene. Iberri said Deputy Sumner had a ballistic shield and it was utilized during the incident.

Deputy Iberri stated there was a confined space where the deputies were setting up in the driveway/walkway area east of the main residence at the northeast corner. He said he learned from other deputies the suspect was in the upstairs west apartment with some children that were unaccounted for, and there was a gunshot victim down in the upstairs east apartment. He said he observed bullet holes on the south facing windows of apartment [redacted]

Deputy Iberri said the deputies formulated a plan which included identification of designated shooters. He explained that the area they were staged in was a confined area with limited space for shooters. Iberri said the discussion included assigning a shotgun and AR-15 on the suspect's door with a couple handguns ready should the suspect exit the apartment and try to engage them. He said remaining deputies were told to be ready to move should the suspect attempt to engage them. He said there was discussion about deputies going to the east apartment to extract the gunshot victim if the suspect remained inside his apartment.

Deputy Iberri said although the situation was very fluid and dynamic, there was a discussion by several deputies to deploy the AR-15, shotguns and a few handguns. He remembered that Deputy Sandoval had a shotgun and Deputy Maya had a AR-15. Iberri said the field sergeant, Sergeant Woods, was present and agreed to the planning and assignments of the deputies. He said the discussion included having enough deputies present for an arrest team, and extraction teams for the gunshot victim, the children, and for evacuations as well.

Deputy Iberri said as they were discussing extracting the gunshot victim, the suspect exited the apartment and deputies observed that he was armed with a handgun. The suspect had a small child with him. He said several deputies were instructing the suspect to surrender, to drop the gun and give up. He said the suspect was refusing to comply with instructions and he returned to the apartment with the child. He said deputies continued to give the suspect instructions to exit the apartment with his hands up. He said there was a few minutes without any actions by the suspect.

Deputy Iberri stated that because they were unsure of the status and condition of the gunshot victim, they again discussed making contact with, and extracting the gunshot victim from apartment [redacted] He stated that he was designated to attempt to make contact with the gunshot victim in apartment [redacted] He said he ran north across the courtyard to the apartment building under the balcony, where he stated he was out of view of the suspect.

He said the plan was if the suspect remained in the house Iberri was to go up the stairs to contact, and

extract the gunshot victim from apartment [redacted] He said a little girl named [redacted] came out of apartment [redacted] and walked over to the stairway. He said deputies instructed her to walk down the stairway and she did so. He said he stepped out from under the balcony beside the stairway and he was able to grab [redacted] and lift her over railing as she was walking down the stairway. He said at that time the suspect came out of the apartment and he heard one gunshot come from the balcony above him in the area of the suspect's location. Deputy Iberri said he did not know if the suspect fired his handgun at him, [redacted] or the deputies. He said he ran northbound along the eastside of the apartment building while carrying [redacted] then east in the alley to Williams Street.

Deputy Iberri said immediately following the one gunshot from above him, he heard multiple gunshots coming from the area where the designated shooters were staged. He said he was unable to see who was shooting because he was running away from the apartment building with [redacted]

Deputy Iberri said he took [redacted] to the command post where the fire department was staged. He said she was checked by paramedics to make sure she was not injured. Deputy Iberri said he remained at the command post with [redacted] for the remainder of the incident.

SUMNER, Joseph, Deputy Sheriff, #[redacted]

Deputy Sumner was interviewed on 09-09-06, at 0805 hours, by Homicide Bureau Investigators [redacted] and Steven Weireter. The interview took place at Compton Station was Sergeant Greg Key, Internal Affairs Bureau, was also present. The interview was recorded for review.

Deputy Sumner said at approximately 2200 hours, on September 8, 2005, he received a radio call of an assault with a deadly weapon in progress at [redacted] Rosecrans Avenue. He said he arrived and parked just west of the location with other deputies. Deputy Sumner said the deputies assembled and began discussing a tactical plan when they were advised by their desk that shots were still being fired and there were children inside the location.

Deputy Sumner stated the tactical plan discussed was to rescue the children and a gunshot victim. He also stated he and the other deputies approached the location on foot, walking eastbound and that he was designated to carry the ballistic shield. ***Deputy Sumner stated he gave his shotgun to Deputy Sandoval.***

Deputy Sumner said the deputies were able to determine that the suspect was in an upstairs apartment at the rear of the property. He said he heard three to four gunshots coming from inside the suspect's apartment as they discussed their tactical plan. He said he believed the suspect may have shot either one or all of the children inside of the apartment.

Deputy Sumner said as he and the other deputies approached the location, he was the "point man," using the shield for protection. He was followed by Deputies Phillippi, Iberri,

Shackleford, Maya, Sandoval and Sergeant Woods. He said as they approached, other deputies were evacuating the occupants from the front house.

Deputy Sumner said the team positioned themselves at the northeast comer of the front house [redacted] He said when he looked around the corner, he saw the suspect standing on the second floor balcony in front of his apartment. Sumner said he advised the other deputies as to the suspect's location. He said the suspect appeared to be looking in all directions until he made eye contact with Deputy Sumner.

Deputy Sumner said one of the other deputies yelled for the suspect to show him his hands as Deputies Maya, Sandoval and Phillipi took up positions at Sumner's side. He said he heard Victim [redacted] who was inside the apartment [redacted] of the suspect, yell she had been shot in the foot and that her [redacted] were still inside the apartment with the suspect.

Deputy Sumner said deputies were yelling at the suspect to drop his gun and show them his hands. Deputy Sumner said the suspect raised his right hand and he could see the suspect was holding a black revolver in right hand. He said the suspect pointed the gun at him and the other Deputies. Someone yelled, "He has a gun!" Then the deputies next to him fired their weapons at the suspect. He believes four to five shots were fired.

Deputy Sumner stated after the shooting stopped, the suspect disappeared from his view. He said he felt the suspect may have been shot and returned to his apartment. Sumner said he remembered hearing Deputy Phillippi yelling at the suspect to let the kids go, then saw two young children run from the apartment. He said Deputies Dean and Iberri moved the children to a safe point at the north of the complex. He stated that Victim [redacted] was yelling at the deputies, but because the helicopter was so low and making a great deal of noise, he could not understand what she was saying.

Deputy Sumner said after the deputies first shot at the suspect and he disappeared, he heard three shots fired from inside the suspect's apartment shortly before the children ran outside. Sumner said he thought he and the other deputies were going to have to rescue the children.

Deputy Summer said a short time after, he heard a second volley of gunshots, but due to where he was positioned, he could not see the suspect or what he was doing. He believes the second volley of gunshots were in response to a single gunshot heard coming from the suspect's location.

Deputy Sumner stated after the shooting stopped, he and heard other deputies yelling for the suspect to exit the apartment with his hands up. Deputy Sumner said the deputies discussed how they would evacuate Apartment [redacted] and any other people still inside the suspect's apartment.

Deputy Sumner said a few minutes later, he heard a "muffled gunshot" from inside the suspect's apartment. Deputy Sumner said the deputies shot at the suspect after he pointed his gun at them. He also said that during the incident, he never heard the suspect say anything to the deputies. He

personally never shot at the suspect because he was holding the shield an did not have a weapon in his hands.

Deputy Sumner was interviewed on May 3, 2007, by Internal Affairs Bureau Sergeant Larry Landreth. The interview took place at Internal Affairs Bureau and was recorded for review. The area of concern for the interview was the unapproved shotgun ammunition allegedly discharged from his assigned department shotgun.

IAB Note: In Deputy Sandoval's I.A.B. interview, he said he was handed a shotgun from Deputy Sumner. It was determined Deputy Sandoval discharged a 12 gauge "Birdshot" round from ths shotgun. In Deputy Sumner's interview with Homicide Bureau, he told the investigators he handed his shotgun to Deputy Sandoval.

Deputy Sumner said he was assigned with Deputy Choi as 285/PM on September 8, 2005. He said he believed he was the driver and did not load the shotgun to his vehicle. He said he remembered handing a shotgun to Deputy Sandoval in exchange for the ballistic shield, but did not believe the shotgun came from his vehicle. Sumner said he did not know why an expended "birdshot" shotgun shell was found extracted from the shotgun he handed off to Deputy Sandoval. Deputy Sumner said he was aware the shotgun should have been loaded, by Department policy, with four 12 gauge .00 buckshot rounds. He said shotgun "slug" rounds could be deployed with proper authorization.

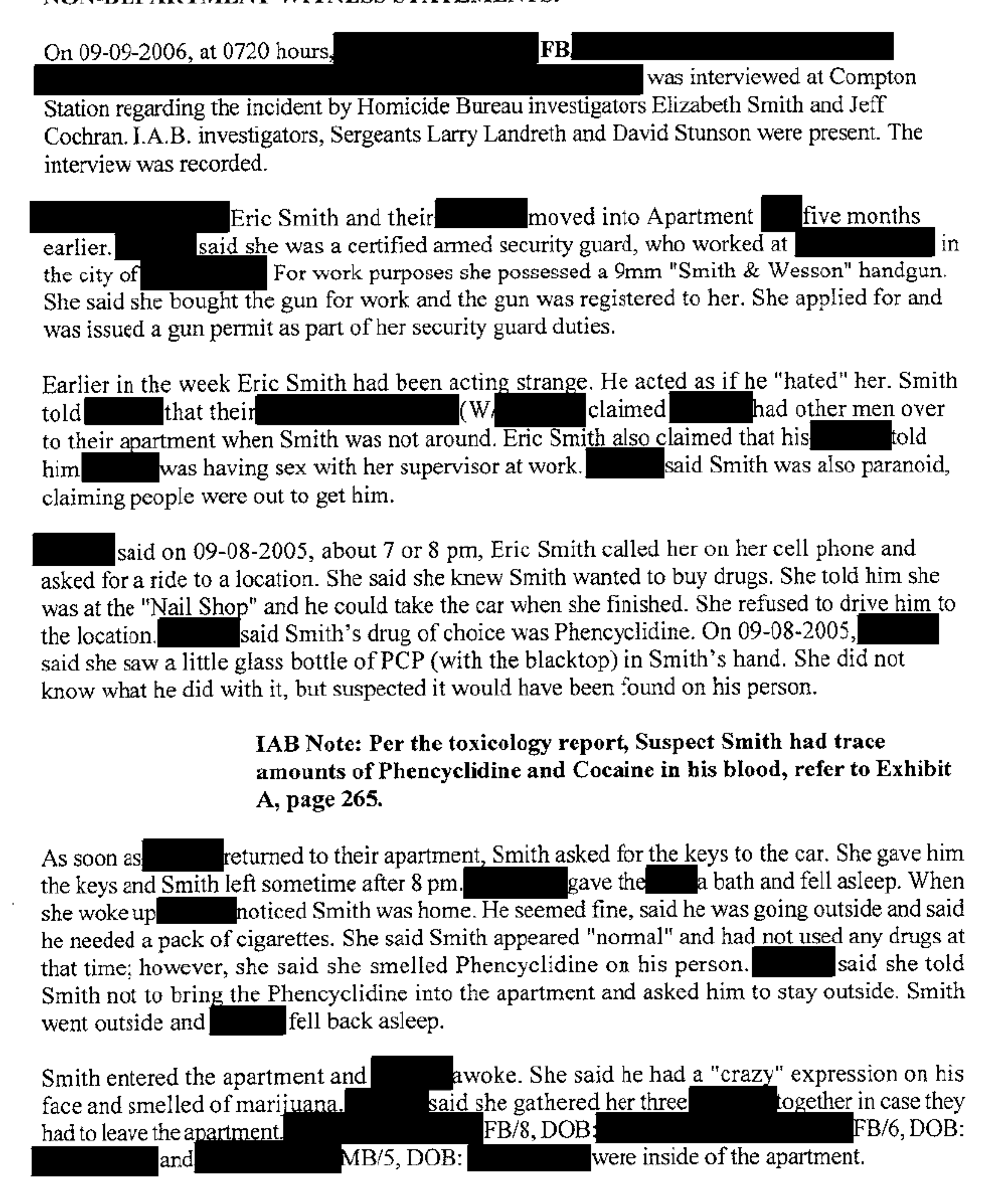
Deputy Sumner said he purchased the shotgun rounds he used from the Department range and said there had been a briefing recently at Compton Station about the proper type of shotgun rounds authorized by Department policy.

CHOI, Vincent, Deputy Sheriff, [redacted]

Deputy Vincent Choi, #460629, Compton Station, was interviewed on May 3, 2007, by Internal Affairs Bureau Sergeant Larry Landreth. The interview took place at Internal Affairs Bureau and was recorded for review.

Deputy Choi said he was assigned on September 8, 2005 as 285/PM along with Deputy Sumner. He said he did not remember if, on that day, he was the driver or the bookman. He said he did not remember if he checked out and loaded the shotgun assigned to their vehicle.

Deputy Choi said he did not believe their shotgun had been removed from their car prior to receiving the call on Rosecrans Avenue. Deputy Choi said when he arrived on scene at the call, he was sent to the rear alleyway behind the target location and did not remove or hand off the shotgun from their car to anyone.



NON-DEPARTMENT WITNESS STATEMENTS:

On 09-09-2006, at 0720 hours, [redacted] FB [redacted] was interviewed at Compton Station regarding the incident by Homicide Bureau investigators Elizabeth Smith and Jeff Cochran. I.A.B. investigators, Sergeants Larry Landreth and David Stunson were present. The interview was recorded.

[redacted] Eric Smith and their [redacted] moved into Apartment [redacted] five months earlier. [redacted] said she was a certified armed security guard, who worked at [redacted] in the city of [redacted] For work purposes she possessed a 9mm "Smith & Wesson" handgun. She said she bought the gun for work and the gun was registered to her. She applied for and was issued a gun permit as part of her security guard duties.

Earlier in the week Eric Smith had been acting strange. He acted as if he "hated" her. Smith told [redacted] that their [redacted] ([redacted] claimed [redacted] had other men over to their apartment when Smith was not around. Eric Smith also claimed that his [redacted] told him [redacted] was having sex with her supervisor at work. [redacted] said Smith was also paranoid, claiming people were out to get him.

[redacted] said on 09-08-2005, about 7 or 8 pm, Eric Smith called her on her cell phone and asked for a ride to a location. She said she knew Smith wanted to buy drugs. She told him she was at the "Nail Shop" and he could take the car when she finished. She refused to drive him to the location. [redacted] said Smith's drug of choice was Phencyclidine. On 09-08-2005, [redacted] said she saw a little glass bottle of PCP (with the blacktop) in Smith's hand. She did not know what he did with it, but suspected it would have been found on his person.

IAB Note: Per the toxicology report, Suspect Smith had trace amounts of Phencyclidine and Cocaine in his blood, refer to Exhibit A, page 265.

As soon as [redacted] returned to their apartment, Smith asked for the keys to the car. She gave him the keys and Smith left sometime after 8 pm. [redacted] gave the [redacted] a bath and fell asleep. When she woke up [redacted] noticed Smith was home. He seemed fine, said he was going outside and said he needed a pack of cigarettes. She said Smith appeared "normal" and had not used any drugs at that time; however, she said she smelled Phencyclidine on his person. [redacted] said she told Smith not to bring the Phencyclidine into the apartment and asked him to stay outside. Smith went outside and [redacted] fell back asleep.

Smith entered the apartment and [redacted] awoke. She said he had a "crazy" expression on his face and smelled of marijuana. [redacted] said she gathered her three [redacted] together in case they had to leave the apartment. [redacted] FB/8, DOB [redacted] FB/6, DOB: [redacted] and [redacted] MB/5, DOB: [redacted] were inside of the apartment.

[redacted] said Smith became confrontational and she became frightened. She explained that she normally kept her security guard "gunbelt" by the couch and Smith was sitting on a barstool by the couch. She saw Eric snatch her firearm out of the gun belt and she told him to put the gun back in the holster. [redacted] said she ran into the bedroom and told the [redacted] to lie on the floor. [redacted] said when she was in the bedroom, she could hear the sound of Smith chambering a round through her 9mm semi-automatic pistol. She said she heard the sound two or three times.

[redacted] said when she exited the bedroom a live round was fired by Smith from her hand gun. [redacted] said it looked as if Smith was playing with the gun, but he also appeared to be under the influence of drugs.

[redacted] said she yelled to Smith and asked him what he was doing. She said she tried to grab for the gun, and Smith pushed her away toward the front door. Smith then opened the front door and tried to fire the hand gun at her. Smith complained the gun would not fire, dropped her gun, then went to the wall heater and retrieved a .38 caliber revolver from a hole in the wall. [redacted] said she was unaware Smith had any guns in the house.

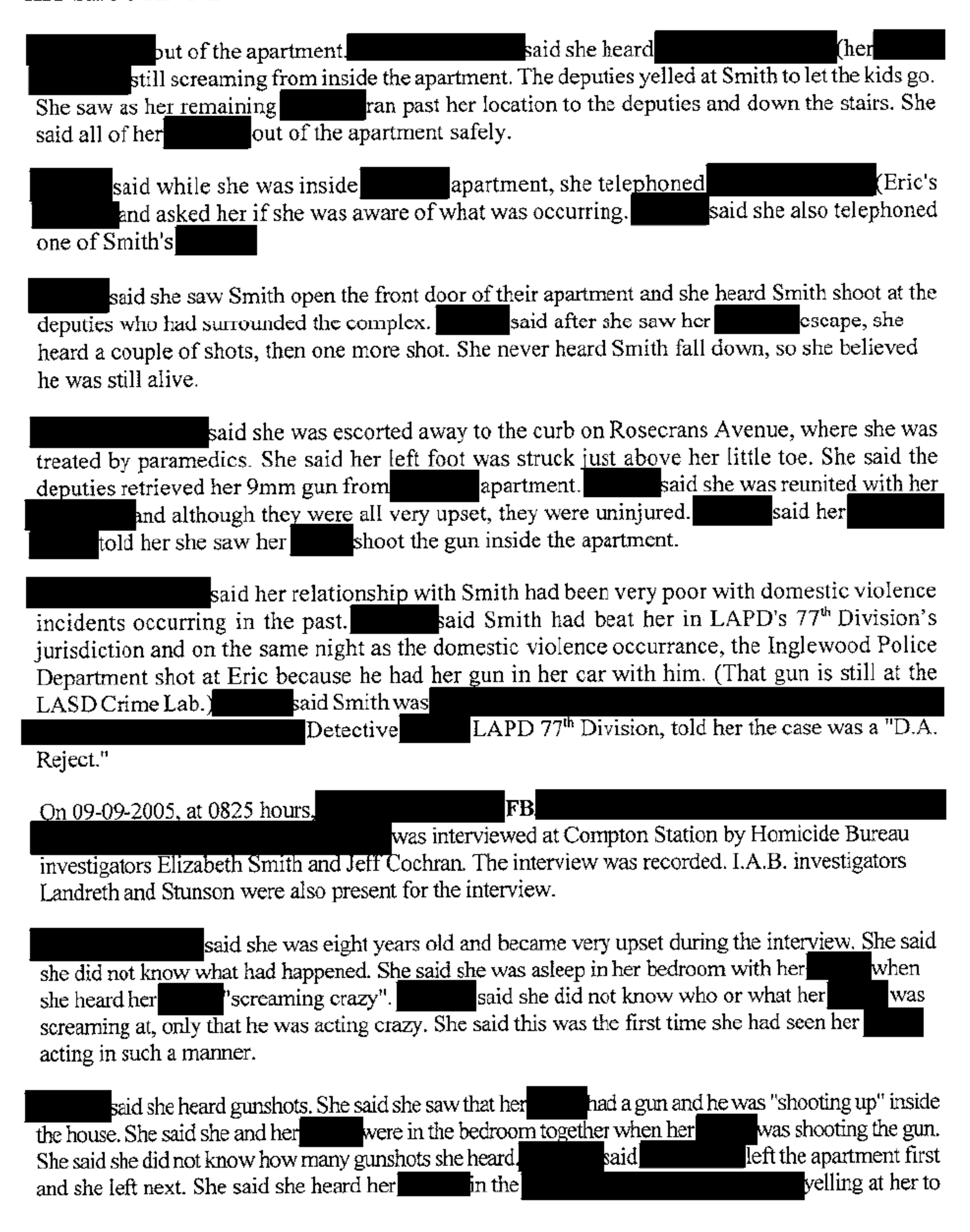
Eric Smith shot a few rounds from the .38 caliber gun inside their apartment. [redacted] said she grabbed her gun and "cycled" through all the live rounds, then ran toward the kitchen. As she ran in the direction of the kitchen, she was struck by a round from Smith's handgun. [redacted] said she fled the apartment. [redacted] denied she never pointed the gun at Smith and never shot the gun at Eric.

[redacted] said she believed her [redacted] had heard the gunfire [redacted] said she ran to [redacted] house and banged on his door. [redacted] immediately opened his door, let her inside, and quickly closed the door behind her. Eric Smith followed her to [redacted] apartment. He banged on the door and yelled out to [redacted] said she noticed her foot was bleeding and she had been shot by Smith.

[redacted] said she called the police, notified the dispatcher he was armed and reported what had happened. Eric Smith could be heard screaming and three or four shots were fired while [redacted] was talking to the dispatcher. [redacted] said he heard Smith inside their apartment screaming and yelling. [redacted] said she heard her [redacted] yelling their [redacted] was shooting. [redacted] said she counted the number of rounds fired and believed Smith reloaded his revolver when he went back inside of the apartment.

[redacted] said she told the deputy on the phone that her [redacted] were still inside the apartment and she said she argued with the officer on the phone because she wanted to go back into the apartment and "take him out." She said she had a gun and wanted to go in and save her [redacted] She said she felt helpless, but the deputy kept her talking on the telephone.

[redacted] said she saw the deputies arrive, while she was still on the phone with the dispatcher. She said she saw the deputies arrive and deploy. [redacted] said she watched as Smith let



[redacted] out of the apartment. [redacted] said she heard [redacted] (her [redacted] still screaming from inside the apartment. The deputies yelled at Smith to let the kids go. She saw as her remaining [redacted] ran past her location to the deputies and down the stairs. She said all of her [redacted] out of the apartment safely.

[redacted] said while she was inside [redacted] apartment, she telephoned [redacted] (Eric's [redacted] and asked her if she was aware of what was occurring. [redacted] said she also telephoned one of Smith's [redacted]

[redacted] said she saw Smith open the front door of their apartment and she heard Smith shoot at the deputies who had surrounded the complex. [redacted] said after she saw her [redacted] escape, she heard a couple of shots, then one more shot. She never heard Smith fall down, so she believed he was still alive.

[redacted] said she was escorted away to the curb on Rosecrans Avenue, where she was treated by paramedics. She said her left foot was struck just above her little toe. She said the deputies retrieved her 9mm gun from [redacted] apartment. [redacted] said she was reunited with her [redacted] and although they were all very upset, they were uninjured. [redacted] said her [redacted] told her she saw her [redacted] shoot the gun inside the apartment.

[redacted] said her relationship with Smith had been very poor with domestic violence incidents occurring in the past. [redacted] said Smith had beat her in LAPD's 77th Division's jurisdiction and on the same night as the domestic violence occurrance, the Inglewood Police Department shot at Eric because he had her gun in her car with him. (That gun is still at the LASD Crime Lab.) [redacted] said Smith was [redacted] Detective [redacted] LAPD 77th Division, told her the case was a "D.A. Reject."

On 09-09-2005, at 0825 hours, [redacted] FB [redacted] was interviewed at Compton Station by Homicide Bureau investigators Elizabeth Smith and Jeff Cochran. The interview was recorded. I.A.B. investigators Landreth and Stunson were also present for the interview.

[redacted] said she was eight years old and became very upset during the interview. She said she did not know what had happened. She said she was asleep in her bedroom with her [redacted] when she heard her [redacted] "screaming crazy". [redacted] said she did not know who or what her [redacted] was screaming at, only that he was acting crazy. She said this was the first time she had seen her [redacted] acting in such a manner.

[redacted] said she heard gunshots. She said she saw that her [redacted] had a gun and he was "shooting up" inside the house. She said she and her [redacted] were in the bedroom together when her [redacted] was shooting the gun. She said she did not know how many gunshots she heard. [redacted] said [redacted] left the apartment first and she left next. She said she heard her [redacted] in the [redacted] yelling at her to

leave the apartment and go down stairs. She said her [redacted] was [redacted] apartment because she had been shot in the foot. [redacted] said, "somebody was shooting things." When she was pressed to answer "who" was shooting, [redacted] became visibly upset and demanded her [redacted] The interview was terminated.

On 09-09-2005, at 0845 hours, [redacted] FB [redacted] was interviewed at Compton Station by Homicide Bureau investigators Elizabeth Smith and Jeff Cochran. The interview was recorded. I.A.B. investigators Landreth and Stunson were also present for the interview. The following is a summary of the interview.

[redacted] said her [redacted] had shot a small black gun. [redacted] said she knew her [redacted] shot the gun because the police came to her house. She said she had seen the gun before and he had shot the gun in the kitchen windows. [redacted] said the gun was very loud and it hurt her ears. She said her [redacted] was [redacted] at a [redacted] when her [redacted] shot the gun. She said she was in her bedroom sleeping with her [redacted] when her [redacted] shot the gun. She said she was sleeping in her bed with her [redacted] when she heard a gun shot. She said she did not hear her [redacted] say anything when he shot the gun.

She said when her [redacted] first shot the gun and he came into her bedroom. She said she and her [redacted] were scared and were crying. She said her [redacted] said "I'm going to hold your hand like this"(she demonstrated to Investigators by grabbing her forearm with her hand.) She said he held her arm tight and it was hurting. She said [redacted] ran into the room and said [redacted] put the gun down". She said her [redacted] didn't put the gun down so [redacted] ran back outside.

[redacted] said the police arrived outside with their guns pointed and said they did not shoot their guns. She said [redacted] ran out of the house then [redacted] ran out of the house. She said her [redacted] and [redacted] had told her to run out of the house and she said she did. She said a police officer took her to his police car and when the gunshots were over the police officer drove her in the police car to the police station.

On 09-09-2005, at 0644 hours, Homicide Bureau Investigators Cochran and Smith interviewed **Witness [redacted] MB/17, [redacted]**

[redacted] stated that he was in the restroom inside his house and first heard two shots. He said thought the shots were fireworks, until 10 to 15 seconds after the first two shots he heard 4 more shots. He said he turned off the lights inside the house and went to the back door to his house. He said he looked through the open rear wooden door, through the screen door, outside. He said he saw a male (referring to the suspect) walking back and forth on the balcony for the apartments. He said the suspect had a handgun in his right hand and he was kicking a high chair on the balcony.

Witness [redacted] said he saw the suspect shoot the gun while he was on the balcony, just before the suspect went into his apartment. [redacted] said he left the rear door into his house and returned to the back

door a minute later. He said at that time he could see the suspect laying in the doorway of his apartment. He said he thought the suspect was shot because he was laying in the doorway for a few minutes. He saw the suspect try to crawl inside the apartment. He said the suspect was screaming as he lay in the doorway. He said the suspect first was screaming as if he was injured or in pain, then after a few moments he heard the suspect yelling "praise the lord" as if he was happy. He said the suspect kicked the door closed with his foot then opened the door again.

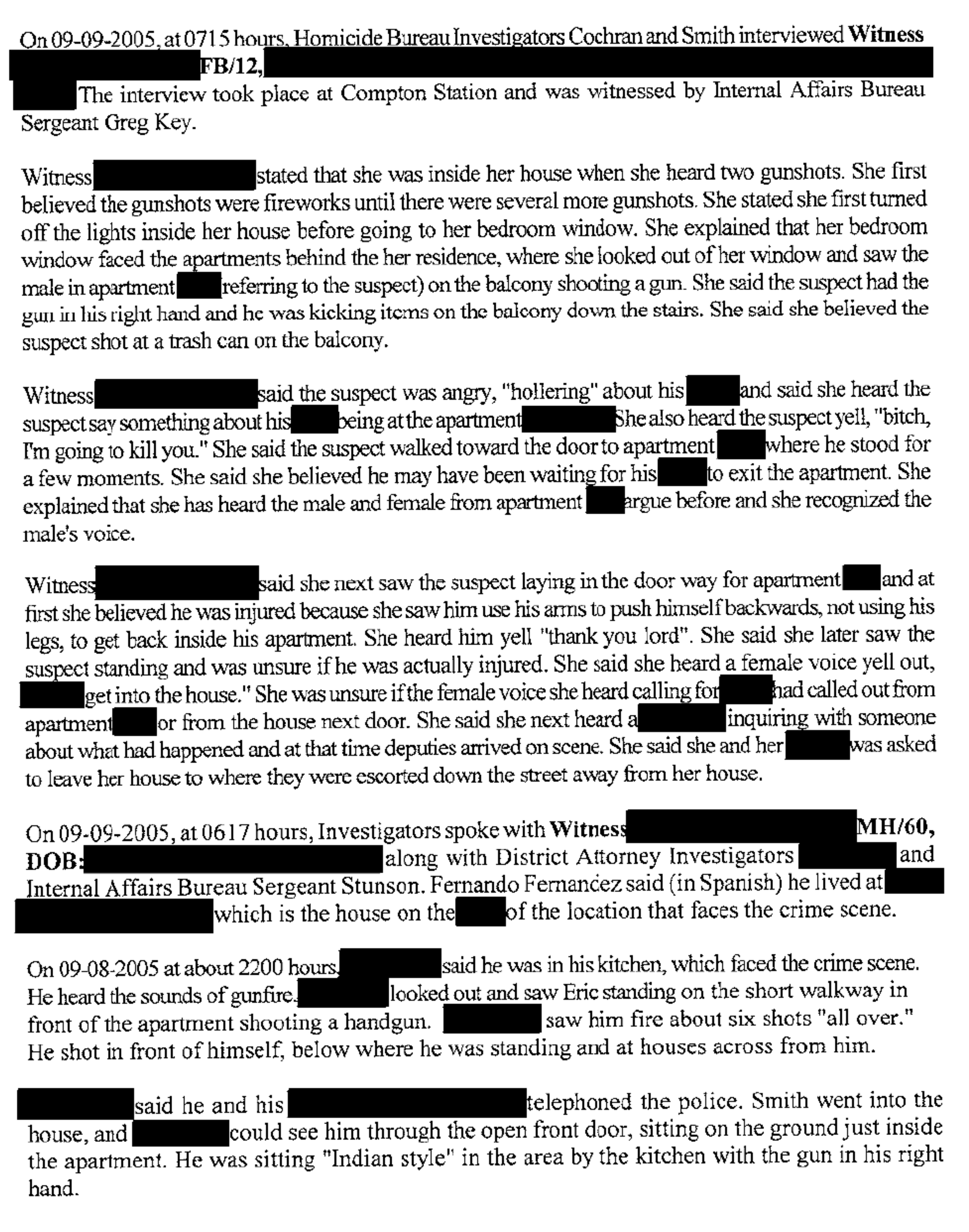
Witness [redacted] said when the deputies first arrived on scene the suspect came out of the apartment and he saw the suspect pointing his gun toward the stairway. He said he saw a red laser trained on the suspect, at which time the suspect ran into his apartment. He said he next saw a little girl, that he recognized as resident in apartment [redacted] appear at the front door the apartment. He said he heard a female voice yell out from apartment [redacted] to the girl, instructing her to go back into the apartment. He stated that the female that called out for the girl was standing in the doorway of apartment [redacted] and he was unsure of how she could have seen the little girl from where she was standing. He said next the deputies arrived at his front door and evacuated he and his family from his house.

He explained that heard the suspect fire his gun an estimated 9 times before deputies arrived on scene and stated the incident where he described the suspect laying in the doorway of apartment [redacted] was before deputies arrived.

Witness [redacted] stated he and his [redacted] were taken to Frailey Avenue and Rosecrans Avenue. He said while at Frailey Avenue and Rosecrans Avenue, he was able to see deputies deploying toward his house. He was asked if he heard any more gun fire while he was at Frailey Avenue and Rosecrans Avenue. He stated he heard two gunshots, then immediately following the two gunshots he heard several gunshots from several types of firearms.

On 09-09-2005, at 0704 hours, Homicide Bureau Investigators Cochran and Smith interviewed **Witness** [redacted] **FB/14,** [redacted] The interview took place at Compton Station and Internal Affairs Bureau Sergeant Larry Landreth was present. The interview was recorded for review.

Witness [redacted] stated she was visiting her [redacted] in the front house at [redacted] East Rosecrans Avenue and was about to return to her apartment when she heard one gunshot, then heard 8 or 9 more gunshots. She said approximately 5 minutes after hearing the gunshots, she looked through the screen door at the back of her [redacted] house. She said she saw a male (referring to the suspect) laying in the open doorway to apartment [redacted] She said she thought the suspect was shot. She heard the suspect yelling "thank you Jesus" and "praise the lord". She said she saw the suspect stand in the doorway of apartment [redacted] when deputies arrived on scene. She said she saw a red laser appear on the suspect at which time the suspect went into apartment [redacted] She said the deputies next evacuated she and her [redacted] from the house, where they were taken down the street away from the location. She said she did not witness any exchange of gunfire between the suspect and the deputies.



On 09-09-2005, at 0715 hours, Homicide Bureau Investigators Cochran and Smith interviewed **Witness** [redacted] **FB/12,** [redacted] The interview took place at Compton Station and was witnessed by Internal Affairs Bureau Sergeant Greg Key.

Witness [redacted] stated that she was inside her house when she heard two gunshots. She first believed the gunshots were fireworks until there were several more gunshots. She stated she first turned off the lights inside her house before going to her bedroom window. She explained that her bedroom window faced the apartments behind the her residence, where she looked out of her window and saw the male in apartment [redacted] referring to the suspect) on the balcony shooting a gun. She said the suspect had the gun in his right hand and he was kicking items on the balcony down the stairs. She said she believed the suspect shot at a trash can on the balcony.

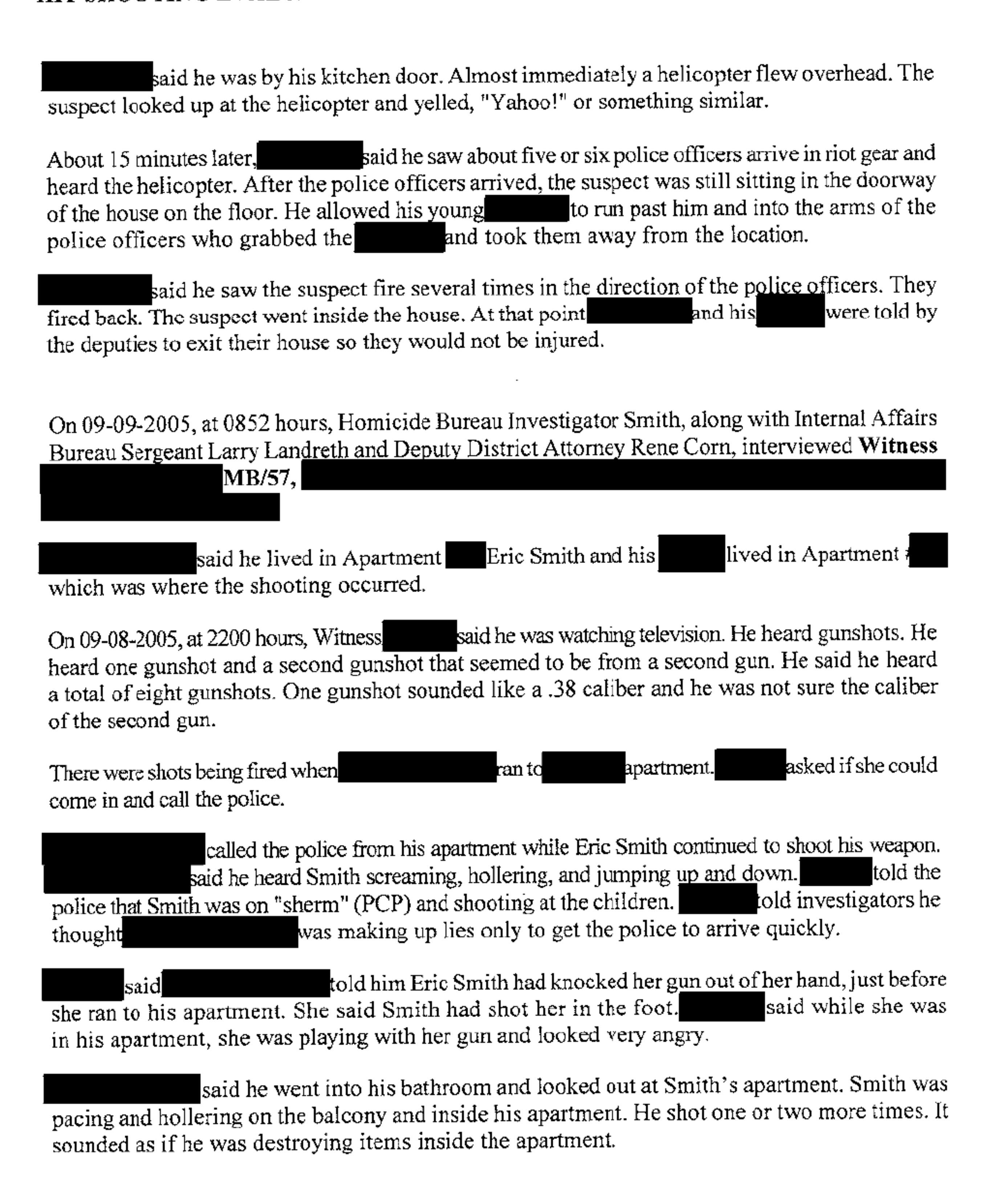
Witness [redacted] said the suspect was angry, "hollering" about his [redacted] and said she heard the suspect say something about his [redacted] being at the apartment [redacted] She also heard the suspect yell, "bitch, I'm going to kill you." She said the suspect walked toward the door to apartment [redacted] where he stood for a few moments. She said she believed he may have been waiting for his [redacted] to exit the apartment. She explained that she has heard the male and female from apartment [redacted] argue before and she recognized the male's voice.

Witness [redacted] said she next saw the suspect laying in the door way for apartment [redacted] and at first she believed he was injured because she saw him use his arms to push himself backwards, not using his legs, to get back inside his apartment. She heard him yell "thank you lord". She said she later saw the suspect standing and was unsure if he was actually injured. She said she heard a female voice yell out, [redacted] get into the house." She was unsure if the female voice she heard calling for [redacted] had called out from apartment [redacted] or from the house next door. She said she next heard a [redacted] inquiring with someone about what had happened and at that time deputies arrived on scene. She said she and her [redacted] was asked to leave her house to where they were escorted down the street away from her house.

On 09-09-2005, at 0617 hours, Investigators spoke with **Witness** [redacted] **MH/60, DOB:** [redacted] along with District Attorney Investigators [redacted] and Internal Affairs Bureau Sergeant Stunson. Fernando Fernancez said (in Spanish) he lived at [redacted] which is the house on the [redacted] of the location that faces the crime scene.

On 09-08-2005 at about 2200 hours, [redacted] said he was in his kitchen, which faced the crime scene. He heard the sounds of gunfire. [redacted] looked out and saw Eric standing on the short walkway in front of the apartment shooting a handgun. [redacted] saw him fire about six shots "all over." He shot in front of himself, below where he was standing and at houses across from him.

[redacted] said he and his [redacted] telephoned the police. Smith went into the house, and [redacted] could see him through the open front door, sitting on the ground just inside the apartment. He was sitting "Indian style" in the area by the kitchen with the gun in his right hand.



[redacted] said he was by his kitchen door. Almost immediately a helicopter flew overhead. The suspect looked up at the helicopter and yelled, "Yahoo!" or something similar.

About 15 minutes later, [redacted] said he saw about five or six police officers arrive in riot gear and heard the helicopter. After the police officers arrived, the suspect was still sitting in the doorway of the house on the floor. He allowed his young [redacted] to run past him and into the arms of the police officers who grabbed the [redacted] and took them away from the location.

[redacted] said he saw the suspect fire several times in the direction of the police officers. They fired back. The suspect went inside the house. At that point [redacted] and his [redacted] were told by the deputies to exit their house so they would not be injured.

On 09-09-2005, at 0852 hours, Homicide Bureau Investigator Smith, along with Internal Affairs Bureau Sergeant Larry Landreth and Deputy District Attorney Rene Corn, interviewed **Witness** [redacted] **MB/57,** [redacted]

[redacted] said he lived in Apartment [redacted] Eric Smith and his [redacted] lived in Apartment [redacted] which was where the shooting occurred.

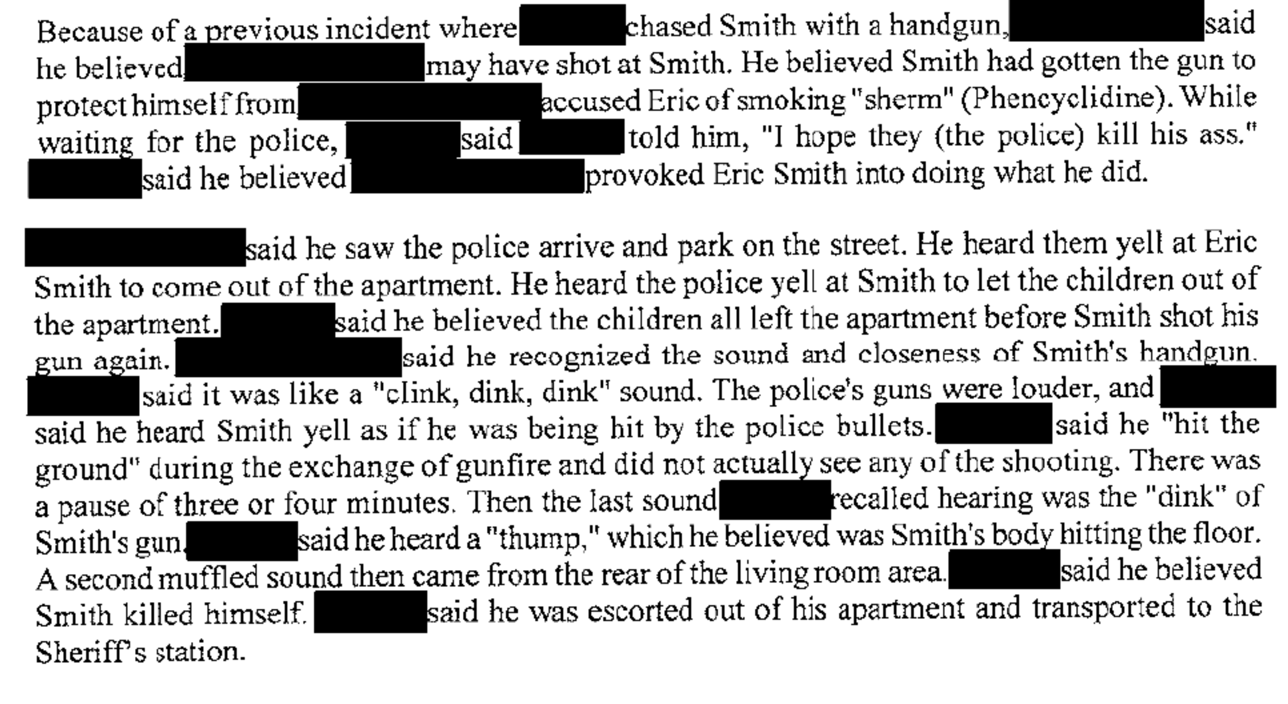
On 09-08-2005, at 2200 hours, Witness [redacted] said he was watching television. He heard gunshots. He heard one gunshot and a second gunshot that seemed to be from a second gun. He said he heard a total of eight gunshots. One gunshot sounded like a .38 caliber and he was not sure the caliber of the second gun.

There were shots being fired when [redacted] ran to [redacted] apartment. [redacted] asked if she could come in and call the police.

[redacted] called the police from his apartment while Eric Smith continued to shoot his weapon. [redacted] said he heard Smith screaming, hollering, and jumping up and down. [redacted] told the police that Smith was on "sherm" (PCP) and shooting at the children. [redacted] told investigators he thought [redacted] was making up lies only to get the police to arrive quickly.

[redacted] said [redacted] told him Eric Smith had knocked her gun out of her hand, just before she ran to his apartment. She said Smith had shot her in the foot. [redacted] said while she was in his apartment, she was playing with her gun and looked very angry.

[redacted] said he went into his bathroom and looked out at Smith's apartment. Smith was pacing and hollering on the balcony and inside his apartment. He shot one or two more times. It sounded as if he was destroying items inside the apartment.



Because of a previous incident where [redacted] chased Smith with a handgun, [redacted] said he believed [redacted] may have shot at Smith. He believed Smith had gotten the gun to protect himself from [redacted] accused Eric of smoking "sherm" (Phencyclidine). While waiting for the police, [redacted] said [redacted] told him, "I hope they (the police) kill his ass." [redacted] said he believed [redacted] provoked Eric Smith into doing what he did.

[redacted] said he saw the police arrive and park on the street. He heard them yell at Eric Smith to come out of the apartment. He heard the police yell at Smith to let the children out of the apartment. [redacted] said he believed the children all left the apartment before Smith shot his gun again. [redacted] said he recognized the sound and closeness of Smith's handgun. [redacted] said it was like a "clink, dink, dink" sound. The police's guns were louder, and [redacted] said he heard Smith yell as if he was being hit by the police bullets. [redacted] said he "hit the ground" during the exchange of gunfire and did not actually see any of the shooting. There was a pause of three or four minutes. Then the last sound [redacted] recalled hearing was the "dink" of Smith's gun. [redacted] said he heard a "thump," which he believed was Smith's body hitting the floor. A second muffled sound then came from the rear of the living room area. [redacted] said he believed Smith killed himself. [redacted] said he was escorted out of his apartment and transported to the Sheriff's station.

On March 29, 2007, at 1400 hours, **Dr. Ajay Panchal, Deputy Medical Examiner,** was interviewed. The interview took place in his office, at the Los Angeles County Coroner's Office.

Dr. Panchal was asked the definition of the terminology, "Intermediate Target Injuries" and he siad it is when a bullet or projectile strikes an object and either fragments of the projectile or fragments of the object struck in turn strikes the body. He reviewed the X-rays, photographs, and his notes related to the Suspect Smith's postmortem and determined he could not state with certainty, that the suspect was struck by shotgun pellets. Dr. Panchal said the X-rays of the affected area in question on Suspect Smith torso did not indicate any shotgun pellets had entered the skin.

> **IAB Note: Dr. Panchal contacted Dr. William Sherry, Senior Forensic Medical Chair, for a consult. Dr. Sherry reviewed the X-rays, photographs, and Dr. Panchal's notes and also concluded he did not believe Suspect Smith was struck by shotgun pellets.**

PROPERTY DAMAGED

The Los Angeles County Sheriff's Crime Lab documented eleven bullet strikes to the front and interior of [redacted] Rosecrans Avenue, Apartment [redacted]



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
JOHN K. SPILLANE • Chief Deputy District Attorney
CURTIS A. HAZELL • Assistant District Attorney

JANICE L. MAURIZI • Director

August 9, 2006

Captain Raymond Peavy
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

RE: J. S. I. D. File No. 05-0543
LASD File No. 005-14396-2851-013

Dear Captain Peavy:

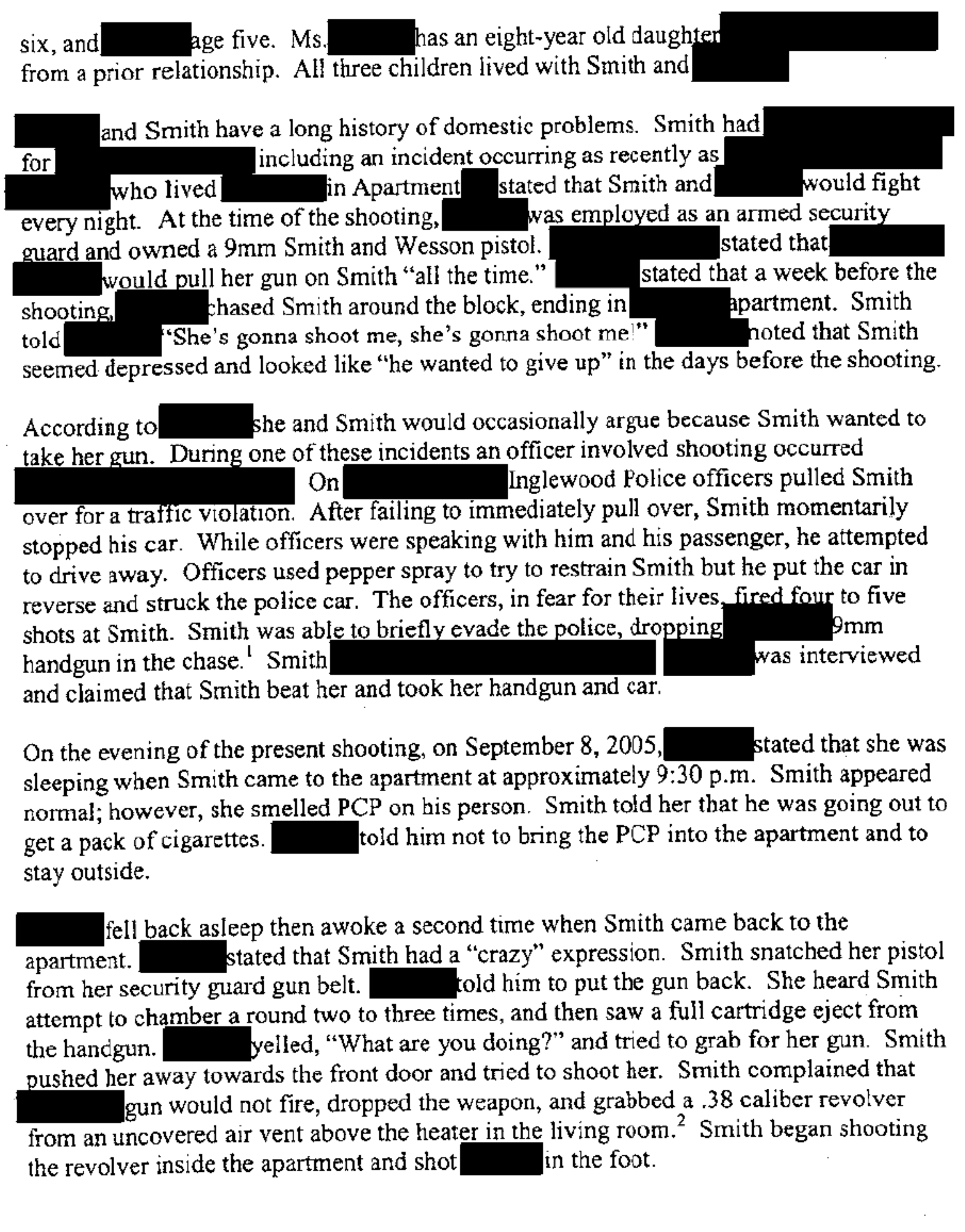
The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the September 8, 2005 fatal shooting of Eric Smith involving Los Angeles County Sheriff Deputies Paul Casas, Robert Felmer, Mauricio Maya, Joseph Morien, Jason Phillippi, Jose Sandoval and Matthew Shackleford. We have concluded that the deputies acted lawfully in self-defense and defense of others. In addition, there is significant evidence establishing that Eric Smith committed suicide in this incident.

The following analysis is based upon our review of an investigative file prepared by the Los Angeles County Sheriff's Department (LASD), which included investigative reports, photographs, analyzed evidence reports, and witness' statements taken during the investigation and submitted to this office by Lieutenant Daniel Rosenberg on June 21, 2006. The District Attorney Command Center was notified of the shooting at approximately 2:30 a.m. on September 9, 2005. The District Attorney Response Team comprised of Deputy District Attorney Renee Korn and District Attorney Senior Investigator [redacted] responded to the scene. They were given a briefing of the circumstances surrounding the shooting and a "walk-through" of the scene. No compelled statements were considered in our analysis.

FACTUAL ANALYSIS

The shooting began as a domestic violence incident between Eric Smith and his [redacted] Smith and [redacted] lived in a one bedroom apartment at [redacted] East Rosecrans Avenue, Apartment [redacted] in Compton. The couple had two [redacted] age

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six, and [redacted] age five. Ms. [redacted] has an eight-year old daugh[redacted] from a prior relationship. All three children lived with Smith and [redacted]

[redacted] and Smith have a long history of domestic problems. Smith had [redacted] for [redacted] including an incident occurring as recently as [redacted] who lived [redacted] in Apartment [redacted] stated that Smith and [redacted] would fight every night. At the time of the shooting, [redacted] was employed as an armed security guard and owned a 9mm Smith and Wesson pistol. [redacted] stated that [redacted] would pull her gun on Smith “all the time.” [redacted] stated that a week before the shooting, [redacted] chased Smith around the block, ending in [redacted] apartment. Smith told [redacted] “She's gonna shoot me, she's gonna shoot me!” [redacted] noted that Smith seemed depressed and looked like “he wanted to give up” in the days before the shooting.

According to [redacted] she and Smith would occasionally argue because Smith wanted to take her gun. During one of these incidents an officer involved shooting occurred [redacted] On [redacted] Inglewood Police officers pulled Smith over for a traffic violation. After failing to immediately pull over, Smith momentarily stopped his car. While officers were speaking with him and his passenger, he attempted to drive away. Officers used pepper spray to try to restrain Smith but he put the car in reverse and struck the police car. The officers, in fear for their lives, fired four to five shots at Smith. Smith was able to briefly evade the police, dropping [redacted] 9mm handgun in the chase.[1] Smith [redacted] was interviewed and claimed that Smith beat her and took her handgun and car.

On the evening of the present shooting, on September 8, 2005, [redacted] stated that she was sleeping when Smith came to the apartment at approximately 9:30 p.m. Smith appeared normal; however, she smelled PCP on his person. Smith told her that he was going out to get a pack of cigarettes. [redacted] told him not to bring the PCP into the apartment and to stay outside.

[redacted] fell back asleep then awoke a second time when Smith came back to the apartment. [redacted] stated that Smith had a “crazy” expression. Smith snatched her pistol from her security guard gun belt. [redacted] told him to put the gun back. She heard Smith attempt to chamber a round two to three times, and then saw a full cartridge eject from the handgun. [redacted] yelled, “What are you doing?” and tried to grab for her gun. Smith pushed her away towards the front door and tried to shoot her. Smith complained that [redacted] gun would not fire, dropped the weapon, and grabbed a .38 caliber revolver from an uncovered air vent above the heater in the living room.[2] Smith began shooting the revolver inside the apartment and shot [redacted] in the foot.

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[1] The gun Eric Smith was [redacted] According to [redacted] that gun is still in the LASD crime lab.

[2] Investigators were unable to determine how Eric Smith came to possess the .38 revolver. The last records on the weapon were from its sale and purchase in 1956 to policewoman [redacted] of Whittier.

[redacted] grabbed her gun and fled to the apartment next door. [redacted] let her inside and [redacted] immediately called the police. While she was on the telephone with the dispatcher, she could hear Smith screaming and firing numerous rounds from the revolver. [redacted] could also hear her [redacted] call for her and yell, [redacted] is shooting." While sheltered in [redacted] apartment, [redacted] called her [redacted] and told her, "Eric shot me in the foot. You'd better come, cause he's outside and the police is going to kill him."

At approximately 10:00 p.m., LASD deputies responded to several calls regarding an assault with a deadly weapon at [redacted] East Rosecrans Avenue in Compton. The location included a home on the front of the property and two apartments (Apartment [redacted] and [redacted] located on a second story above garages. The call indicated that an adult male black was armed with a .38 caliber handgun and was shooting. While en route to the location, there were further communications to the deputies informing them that shots continued to be fired; that the suspect, Eric Smith, had barricaded himself in his apartment; that there were three children in the apartment; and that the suspect had shot his [redacted] in the foot.

Given the seriousness of this situation, numerous LASD units were dispatched to the location. Deputy [redacted] coordinated units to contain the location. Deputies immediately evacuated the residents of the front house at [redacted] East Rosecrans Avenue. The deputies positioned themselves in several locations around Smith's apartment. Deputy Paul Casas was positioned to the west of Smith's location next to the front house. Deputies Brandon Dean, Joseph Iberri, Robert Dean, Mauricio Maya, Matthew Shackleford, Jose Eguia, Jose Sandoval, Jason Phillippi, and Joseph Sumner, were positioned to the east at the rear of the front house. Deputies Robert Felmer, Steven Marella, and Joseph Morien took a position on the east side of Smith's location of the neighboring property at [redacted] East Rosecrans.

Around the time deputies positioned themselves at the location, Smith fired several rounds inside his apartment. Smith briefly exited his apartment holding one of the children, and then quickly retreated back into his apartment. Deputies yelled to Smith to let the child go. Moments later, Smith came out of his apartment a second time holding a handgun in his right hand. Numerous deputies repeatedly yelled at Smith to show his hands, drop his gun and surrender. Smith lifted the gun in a motion pointing towards the position where a group of deputies, including Deputy Phillippi, Sandoval, Shackleford, and Sumner had congregated on the east side of the home. Deputy Phillippi fired five times at Smith with his .45 caliber Smith and Wesson pistol. Deputy Shackleford fired five rounds at Smith with his 9mm Baretta pistol. Deputy Felmer fired one round from his AR-15 rifle. Deputy Morien fired two rounds at Smith from his 9mm Baretta pistol. Deputy Casas fired one round from a shotgun. Smith retreated back into his apartment. Deputies did not know whether any of the rounds struck Smith.

Moments later, [redacted] ran from the apartment and down the stairs. Deputy Joseph Iberri grabbed her and took her to a place of safety. Approximately one minute later,

[redacted] and [redacted] ran from the apartment. Deputy Brandon Dean ran up the stairway, took hold of both girls, and guided them away from the location.

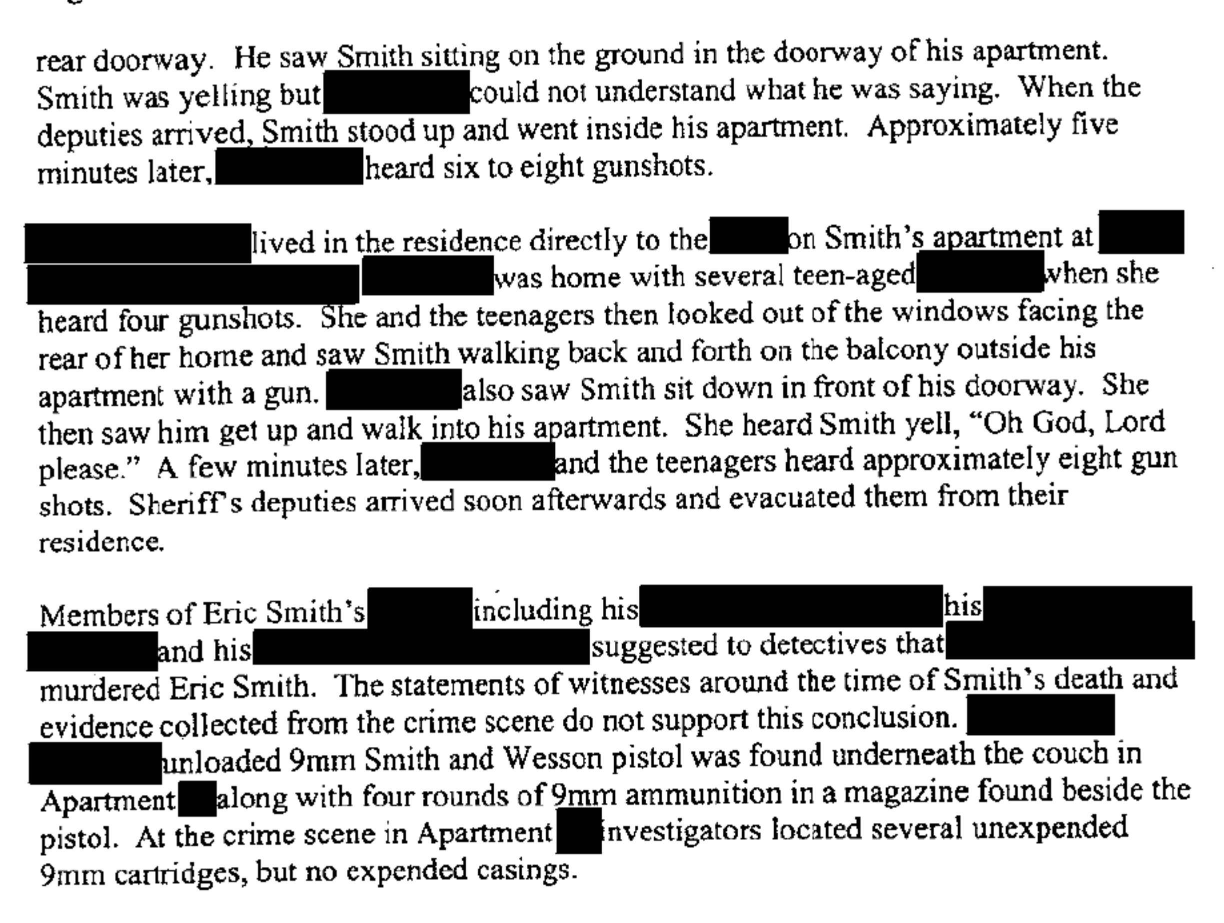
Smith came to the doorway of his apartment and began to open the metal screen door. From his position, Deputy Maya had a clear shot with his rifle and fired one round at Smith. It is unknown if Maya's round struck Smith. Deputies then observed Smith crawling out of his apartment onto the balcony, still holding the gun in his right hand. Again, deputies yelled at Smith to show his hands, drop his gun, and surrender. For a second time, Smith pointed his gun at the deputies. Deputy Sandoval fired one shotgun round at Smith. Deputy Phillippi and Deputy Shackleford each fired one additional round at Smith. Smith quickly backed up and re-entered his apartment. Several minutes later, a muffled gunshot was heard from inside the apartment.

LASD's Special Enforcement Team arrived at the location and assisted in evacuating all the adjacent neighbors from the area for their safety. Several announcements were made from a loudspeaker requesting that Smith surrender and exit. Smith did not respond. Crisis negotiators made several phone calls to Smith's residence but no one answered. After several minutes, a pole camera was used to determine Smith's condition. After determining that Smith was laying motionless within his apartment, deputies forced entry. Smith was lying on the ground and appeared to have a gunshot wound to his head. A revolver containing three expended .38 caliber casings was found on the ground next to his feet.

Investigators found a box of live .38 caliber ammunition on the living room table of Smith's apartment. Seven expended .38 caliber shell casings were found within Smith's apartment. Four unexpended 9mm cartridges were also found in the apartment. The apartment was riddled with expended bullets and locations where bullets had struck the doors and walls.

On September 12, 2005, Deputy Medical Examiner Ajay Panchal performed an autopsy on the body of Eric Smith. Dr. Panchal determined the cause of death to be suicide from a self-inflicted gunshot wound to the head. Smith also had a non-fatal bullet wound on his left foot. Dr. Panchal also noted that there were several small lacerations on Smith's legs and on his right index finger. Dr. Panchal stated that the lacerations could have been caused by metal fragments created by bullets striking other objects. Gunshot residue tests performed on Smith confirmed that he had either discharged or handled a firearm. Toxicology tests found that Smith had levels of PCP in his blood at the time of his death.

There were numerous witnesses to the shooting other than the involved police officers that corroborate the events. [redacted] and his adult [redacted] live in an adjacent home at [redacted] saw Smith standing on the balcony of his apartment shooting a handgun approximately six times. [redacted] heard two to four gunshots coming from Smith's apartment. [redacted] went to the rear doorway of his home and saw Smith on the upstairs balcony walking towards the stairway with a gun in his hand. [redacted] immediately called 911 and returned to his



rear doorway. He saw Smith sitting on the ground in the doorway of his apartment. Smith was yelling but [redacted] could not understand what he was saying. When the deputies arrived, Smith stood up and went inside his apartment. Approximately five minutes later, [redacted] heard six to eight gunshots.

[redacted] lived in the residence directly to the [redacted] on Smith's apartment at [redacted] [redacted] was home with several teen-aged [redacted] when she heard four gunshots. She and the teenagers then looked out of the windows facing the rear of her home and saw Smith walking back and forth on the balcony outside his apartment with a gun. [redacted] also saw Smith sit down in front of his doorway. She then saw him get up and walk into his apartment. She heard Smith yell, "Oh God, Lord please." A few minutes later, [redacted] and the teenagers heard approximately eight gun shots. Sheriff's deputies arrived soon afterwards and evacuated them from their residence.

Members of Eric Smith's [redacted] including his [redacted] his [redacted] and his [redacted] suggested to detectives that [redacted] murdered Eric Smith. The statements of witnesses around the time of Smith's death and evidence collected from the crime scene do not support this conclusion. [redacted] unloaded 9mm Smith and Wesson pistol was found underneath the couch in Apartment [redacted] along with four rounds of 9mm ammunition in a magazine found beside the pistol. At the crime scene in Apartment [redacted] investigators located several unexpended 9mm cartridges, but no expended casings.

LEGAL ANALYSIS

Penal Code §§ 692-694 specifically authorize any individual protecting himself or another to use all force which he believes to be reasonably necessary and which would appear to a reasonable person in the same or similar circumstances, to be necessary to prevent the injury which appears to be imminent. *See also, California Jury Instructions-Criminal 5.30, 5.32.*

The use of deadly force in self-defense or in the defense of others is considered justifiable if the person claiming the right to use self-defense actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. *People v. Williams* (1977) 75 Cal.App.3d 731.

The California Court of Appeal has held that actual danger is not necessary to justify the use of deadly force in self-defense. If one is confronted by the appearance of danger which one believes, and a reasonable person in the same position would believe, would result in death or great bodily injury, one may act upon these circumstances. The right of self-defense is the same whether the danger is real or merely apparent. *People v. Toledo* (1948) 85 Cal.App.2d 575.

When the peril is swift and imminent and the necessity for action immediate, the law does not weigh into nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety. *People v. Collins (1961) 189 Cal. App.3d 575.*

A person threatened with an attack that justifies the exercise of the right to self-defense need not retreat. In the exercise of his right of self-defense a person may stand his ground and defend himself by all force and means which would appear to be necessary to a reasonable person in a similar situation and with similar knowledge; and a person may pursue his assailant until he has secured himself from danger if that course, likewise, appears reasonably necessary. This law applies even though the assailed person might more easily have gained safety by flight or withdrawing from the scene. *California Jury Instructions Criminal (CALJIC) 5.5.*

CONCLUSION

On September 8, 2005, Eric Smith shot his [redacted] and fired his revolver numerous times in public. When LASD deputies responded to his residence, Smith barricaded himself inside his apartment with three children. Deputies repeatedly requested that Smith release the children, put down his weapon, and surrender. When Smith did not comply and instead pointed his gun at the deputies, the deputies responded with gun fire. After the children were able to escape, Smith was once again asked to put down his weapon and surrender. Smith did not comply and again pointed his gun at the deputies. The deputies responded by firing their weapons a second time. Smith's actions placed his [redacted] his [redacted] his [redacted] and the deputies in imminent danger of death or great bodily injury. We find that Deputies Paul Casas, Robert Felmer, Mauricio Maya, Joseph Morien, Jason Phillippi, Jose Sandoval, and Matthew Shackleford, acted in lawful self-defense and defense of others. We are closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By

RENÉE KORN
Deputy District Attorney
(213) 974-3641

c: Deputies Paul Casas, Serial No. [redacted]
Deputy Robert Felmer, Serial No. [redacted]
Deputy Mauricio Maya, Serial No [redacted]
Deputy Joseph Morien, Serial No. [redacted]
Deputy Jason Phillippi, Serial No. [redacted]
Deputy Jose Sandoval, Serial No. [redacted]
Deputy Matthew Shackleford, Serial No. [redacted]